

MAINE

Fred Elmore Glew, Fort Fairfield.
Merle R. Pitman, Lovell.
Milton Edes, Sangerville.

MISSISSIPPI

Shelby O. Taylor, Union.

NEW HAMPSHIRE

William F. Keating, Hill.

NORTH CAROLINA

James Henry Hill, Hickory.
Pearl E. Linville, Oak Ridge.
Arthur E. Briscoe, Union Mills.

TEXAS

David F. Stamps, Dime Box.
Gorden S. Barker, Sulphur Bluff.
Vaughn M. Price, Three Rivers.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 21, 1943

The House met at 12 o'clock noon.

Rev. G. Kearnie Keegan, D. D., pastor of the First Baptist Church, Longview, Tex., offered the following prayer:

Holy Father, Thou who art from everlasting to everlasting, Thou the only true and living God, Thou who didst lead our forefathers in the founding of this great Nation, to Thee we raise our voices in ceaseless praise. For every blessing upon our land we express our humble gratitude, realizing full well, that our actions merit them not, but they come as a gift of Thy Holy Grace.

We invoke Thy richest blessings upon our President. Sustain and guide him, we pray. Grant unto each Member of this House of Representatives, divine wisdom that they might discern that which is best in Thy sight for all our people. Help them never to lose sight of the individual's need in this day of collective action, for in the atoning death of Thine own Son, Thou didst place the individual on the pedestal of preeminence in Thy plans for man's future progress.

Forgive our national sins, O God, and lead us soon in the walk of peace with all mankind, we humbly beg in Jesus' name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 514. An act for the relief of Blanche H. Karsch, administratrix of the estate of Kate E. Hamilton.

INTERCHANGEABLE USE OF POST-OFFICE CLERKS AND CITY LETTER CARRIERS

Mr. BURCH of Virginia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 970) authorizing the Postmaster General to use post-office clerks and city letter carriers interchangeably.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, while the United States is at war and for 6 months thereafter, the Postmaster General may, when the inter-

est of the Service requires, temporarily assign any post-office clerk to the duties of city delivery carrier or any such carrier to the duties of such clerk and in an emergency may assign any post-office employee to the duties of a railway postal clerk or any railway postal clerk to the duties of a post-office employee without change of pay-roll status, the compensation of any temporarily assigned employee to be paid from the appropriation made for the work to which he is regularly assigned.

With the following committee amendments:

That the Postmaster General may, in an emergency, when the interest of the Service requires, temporarily assign any post-office clerk to the duties of city delivery carrier or any such carrier to the duties of such clerk and in an emergency, when the interest of the Service requires, may temporarily assign any post-office clerk or city delivery carrier to the duties of a railway postal clerk or any railway postal clerk to the duties of a post-office clerk or city delivery carrier without change of pay-roll status, the compensation of any temporarily assigned employee to be paid from the appropriation made for the work to which he is regularly assigned.

SEC. 2. This act shall terminate on June 30, 1945, or such earlier date as the Congress by concurrent resolution may prescribe.

The committee amendments were agreed to.

The bill was ordered read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN HANSON, FIRST PRESIDENT OF THE UNITED STATES

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAGNUSON. Mr. Speaker, most Virginians and most Americans are under the false impression that George Washington was the first President of the United States; but a Scandinavian was the first President of the United States, John Hanson, of Maryland. John Hanson has been sleeping in American history too long, Mr. Speaker, and I am introducing a bill today, or a resolution, calling upon the President to proclaim November 15, John Hanson's birthday, as John Hanson Day.

EXTENSION OF REMARKS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution of the Governors' Conference Committee on Mining for the State of Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

(Mr. DONDERO asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a short address.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend

my remarks in the Appendix of the RECORD and to include a copy of a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CHINESE EXCLUSION LAWS

Mr. FARRINGTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

[Mr. FARRINGTON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an address by General Reybold, Chief of Engineers, on the twenty-fifth annual convention of the Mississippi Valley Association, October 19, 1943, at St. Louis, Mo.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Butte (Mont.) Standard.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CAPOZZOLI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address made by Judge John J. Freschi, of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an editorial from the New York Herald Tribune entitled "Investigate the Lend-Lease."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting a letter relative to the very excellent care that has been given a patient at the Galling Hospital over a long period of time.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

(Mr. NORMAN asked and was given permission to revise and extend his own remarks in the RECORD.)

(Mr. LAMBERTSON asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

REPEAL OF THE CHINESE EXCLUSION LAWS

Mr. GOSSETT. Mr. Speaker, I move that the House resolve itself into the

Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3070) to repeal the Chinese exclusion acts, to establish quotas, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3070) to repeal the Chinese exclusion acts, to establish quotas, and for other purposes, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before the committee rose on yesterday the Clerk had read the first paragraph. Amendments are in order to the first paragraph.

Mr. BENNETT of Michigan. Mr. Chairman, I have an amendment to the first section which I send to the desk.

The CHAIRMAN. After reading the gentleman's amendment the Chair advises the gentleman that it is an amendment to the second section which has not been read. The Chair will entertain the amendment after section 2 has been read.

Are there any amendments to section 1?

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN. Since the amendment offered by the gentleman from Michigan proposes to strike out two sections, just when would it be in order to offer the amendment?

The CHAIRMAN. The Chair will state to the gentleman from Mississippi that the Chair will entertain the amendment following the reading of section 2.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. We were unable to hear the conversation which took place between the Chairman and the gentleman from Michigan. Do I understand the gentleman's amendment is to strike out section 1 or section 2?

Mr. BENNETT of Michigan. It is to strike out section 2.

The CHAIRMAN. The amendment is to strike out section 2 of the bill.

Mr. RANKIN. Sections 2 and 3.

The CHAIRMAN. If there are no amendments to section 1 the Clerk will read.

The Clerk read as follows:

SEC. 2. With the exception of those coming under subsections (b), (d), (e), and (f) of section 4, Immigration Act of 1924 (43 Stat. 155; 144 Stat. 812; 45 Stat. 1009; 46 Stat. 854; 47 Stat. 656; 8 U. S. C. 204), all Chinese persons entering the United States annually as immigrants shall be allocated to the quota for China computed under the provisions of section 11 of the said act. A preference up to 75 percent of the quota shall be given to Chinese born and resident in China.

Mr. GOSSETT. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. GOSSETT: Page 3, line 19, after the word "for", strike out "China" and insert in lieu thereof the words "the Chinese."

Mr. GOSSETT. Mr. Chairman, this is purely a corrective amendment to make the section read as all thought it did read. The word "China" should be "the Chinese" because this is a quota granted not to China but to the Chinese.

The committee amendment was agreed to.

Mr. BENNETT of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Michigan: Page 3, after line 13, strike out all of section 2.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. BENNETT of Michigan. Mr. Chairman, I spoke at length on this matter yesterday and do not intend to take the time of the Committee to reiterate.

If this amendment is adopted, and the amendment which I intend subsequently to offer to strike out section 3, it will leave the bill with section 1 only. Section 1 repeals the Chinese exclusion laws which have had the effect of stigmatizing the Chinese as against all other Asiatics and, in my judgment, have been unfair to them, but it will not disturb any part of our basic immigration structure. It will give the Chinese the same immigration status as other Asiatics. It will not give them any preference but it will end the present discrimination. We ought to stop there.

Two arguments have been made for the passage of this bill: First, we would cement our friendly relations with China if we put the Chinese on a quota basis at this time. The argument all the way through has been that we did not treat the Chinese as equals. Mr. Chairman, even if we pass this entire bill, we still will not be treating the Chinese as equals, so far as the white race is concerned. The Japanese have been propagandizing the Chinese that we do not treat them on a basis of equality with the whites, and that has been the basis for this legislation, but it does not accomplish that end, and therefore you leave the Japanese in the same situation, as far as propaganda is concerned, as they were before, and, in addition, you create one further problem that you do not have today: That immediately when you pass this bill you put the Chinese in a superior position, if you please, to all the other Asiatics, including our own nationals, the Filipinos.

The gentleman from Massachusetts, the majority leader, stated yesterday that we could disregard all other Asiatics except China because none of the rest were sovereign nations. Thus, we have the specious argument that because the Philippines is not an independent sovereignty we can safely legislate here today to discriminate against its people. No, Mr. Chairman, I cannot subscribe to that kind of reasoning. We are taking our immigration structure apart under the guise of war legislation to do a thing which will be appreciated by no nation and resented by many. It will not mislead anyone, even the Chinese whom it is intended to mislead, and go down in

history as one more master stroke of meaningless diplomacy at the expense of a very important part of our immigration system.

It was stated on the floor here yesterday, and correctly so, that the Japs were propagandizing the Filipinos along the same lines as they have been the Chinese. When we pass this bill giving the Chinese preference over the Filipinos, what do you expect as far as propaganda is concerned? Do you expect the Filipinos will not learn of the unfairness of our action?

I just want to say one thing further. There has been all this talk about what we owe to China and what we should do for them. Why not be truthful with China? They are an understanding people. Truth is always appreciated, even in time of war. Why not tell them that the repeal of the Chinese exclusion law putting them on a quota basis is not the only immigration problem that we are confronted with and it is not the only one we are going to be confronted with from now until the end of the war and thereafter. Why not tell them that we consider this an economic and social problem that ought to be considered along with the rest of our immigration problems after the war? Let us do as we are endeavoring to do at present. Those in charge of our Government today say they are doing their utmost to give the Chinese all the material aid they need.

What is China going to expect after this war and what are we going to have to do for China? There is no question in the mind of any Member in this House but that we are going to be called upon to aid China in her program of rehabilitation after the war is won because China's problems are not going to be solved with the winning of the war. We are then going to be called upon to help feed the starving people of China. We should give China the actual and material aid to the best of our ability and not offer gestures or a few crumbs as this bill proposes to do. This legislation will do nothing but multiply the many headaches we already have.

Mr. ALLEN of Louisiana. Will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. The gentleman might acquaint the committee with the fact that the Immigration Committee reported out a bill embodying all of section 1 and the gentleman from Louisiana offered the motion in committee several weeks ago to report out a bill embodying that part, repealing all of the Chinese exclusion laws proper but not repealing the oriental laws.

Mr. BENNETT of Michigan. The gentleman is correct. That bill had the unanimous support of our committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAGNUSON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. BENNETT].

Mr. Chairman, of course the amendment offered by the gentleman from Michigan would take away the very im-

portant part of the bill. May I say to the gentleman, and for the information of the House, bearing out what many Members said here yesterday regarding Japanese propaganda, that last night at 11 o'clock the radio of Tokyo in a broadcast beamed all over the Orient quoted the minority report on this bill.

We are not putting China in any favored position by this section as regard the other Asiatics. We are merely putting China on an equality with the other nations of the world. We cannot deal with the other Asiatics now in reference to immigration if we wanted to. They are not independent. India is not an independent country. There is also the problem of Filipino independence and the problem of their immigration to this country. I have no doubt that they will be put on an equality basis or a quota basis when their independence is given to them.

Let me say something else about Japanese propaganda. One week ago in a radio broadcast beamed to the Philippines the Japanese said to the Filipinos in celebration of their independence last week:

You and America have been talking about this for the Chinese and the Filipinos, but we are giving it to you here today.

They are a Japanese mandate today. We cannot deal with them until we give them independence and rescue and retake the islands. All this does, again, is to put China on an equality with the other nations of the world. You say we favor China? I do not know of any country in the world, if we are going to favor anybody, that should be favored, or a better country to favor, than China.

Mr. JENKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the statement made by the last speaker indicates that it does not make any difference what we in the United States do, Japan is going to distort it so as to take advantage of it. You cannot blame Japan for putting out all over the Philippine Islands the story that we are about to do some great favor to China which in comparison will be detrimental to the Philippines. Whatever we in Congress might do will be broadcast by Japan to her own advantage. This bill proposes to do something favorable to China and Japan knows that the Filipinos will be displeased because they are denied the great favor granted to China.

When we pass this bill we give China two quotas. That is something that no other nation on the face of the earth has been favored with. That cannot be disputed. I dare say that the office of the Secretary of State will agree that I am correct in making that statement. Under this bill you give China two quotas while right alongside of China are the Filipinos who have been a part of our country for 45 years, are denied this privilege, and what is more, under the present law the Filipinos are given only a half quota. They can get 50, and when we give them their independence they will then be compelled to relinquish that 50. It is not right to give the right of citizen-

ship to Chinese and deny it to Filipinos. This legislation is simply the result of extreme sentimentality. Too much sentiment and too little practical intelligence.

Here is another thing we are trying to do here today. We are trying to do China a little favor, and while we are doing it we are tearing down a great structure that took us a generation to build up. If you want to do China a favor, do them the favor by helping them get munitions of war. If you are in earnest in your claim that you desire to erase the stigma, if any, that China faces from the passage of the Chinese Exclusion Act, then pass section 1 of this bill. Take out of this bill all those provisions with reference to the Chinese exclusion laws. There were several Chinese exclusion laws passed back about 60 years ago. Let us take them all out by passing section 1, and let it go at that. Why, in order to do China this favor, do you have to go further than section 1? Why do you have to tear down this immigration structure that has been a magnificent piece of legislation and has been tremendously successful? I only wish that some of you who seem so anxious to lay down the immigration bars had been here when we were establishing these principles of government that saved our Nation from the floods of immigrants that were coming to our country in the early part of this century. You cannot throw away sound principles of government under an urge to do something from the urge of sentiment.

Our great Nation, the greatest Nation in the world, was a pioneer in immigration. We built up a model law. We gave to the world the principle that each sovereign nation has the right to determine who can come to dwell within its boundaries. Now you are going to tear this structure down piecemeal by trying to give China a little sop. There are 350,000,000 people in China, and you are going to give 75 of them an opportunity to enter this country. This is only a sop and is an insult to this great nation. Why do you not repeal those provisions against which they complain and stop at that? When you have done that you have done a good day's work. You have done what the State Department will approve. If you pass this proposed legislation, it is not going to meet the approval of the State Department. You will be imposing a burden upon the State Department, for it will be compelled to pacify the other nations of the world.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. I am sorry, but I cannot yield. I know what the gentleman wants to ask me. I can anticipate him by asking him, Why did you not ask the State Department before your committee? No one from the State Department testified before your committee. In years gone by we never legislated in this body on matters of immigration without giving the profoundest respect to the opinion of the State Department. I have that respect for the State Department yet. I know that this sort of legislation

will not be approved by those in the State Department who administer the immigration laws.

Mr. MASON. Mr. Chairman, will the gentleman yield for a correction?

Mr. JENKINS. I am sorry to decline to yield, for I know the gentleman cannot correct any statement that I have made, because the State Department did not testify before his committee.

Mr. MASON. We did have representatives of the State Department before our committee.

Mr. JENKINS. Some representative of the State Department might have been in the room, but he did not give testimony. I do not want to have my statement about these matters broken into. The record shows that I am right, and I insist that we should know what the attitude of the State Department is, and it should be in the record. I am sure, to my own satisfaction, what it is, for I know from past experience.

Let us not make a mistake about this now. We can do what China wants and what we ought to do. In fact, we should have done this in 1924. We can do this by passing this section 1 and by striking out sections 2 and 3. When you go into passing section 2 and section 3 you do something which you ought not to do, because you try to unmake and remake this great structure that has been made so carefully and so cautiously. You do not do anybody any good, but you are going to cast a lot of extra burdens on the State Department. How are they going to reconcile this with the Philippines and with India and with Great Britain? I tell you it cannot be done. Let us not make that mistake.

Mr. Chairman, the passage of this bill in its present form may bring on some bitter controversy in the courts. Let me illustrate. Heretofore our restrictive immigration laws have made no mention of nationalities or peoples by name. For instance, nobody is admitted or rejected because he is or is not a Briton or an Irishman or a Swede or a Chinaman. They are admitted for citizenship if they are white or if they are of African descent or if they are descendants from parents in the Western Hemisphere. This bill amends the very basic section of the immigration laws by adding the word Chinese. It makes Chinese admissible. In order to be classified as the others admissible are classified the word "oriental" would be the proper word. For instance what is an Englishman? Does it not include any person of any color or race just so he was born in England? Is not a Chinese person born in America of Chinese parents also born in America a full-fledged American? Is not a boy born in America of Italian parents living in America an American? Therefore, let us suppose that a man living in England born there of Chinese parents who were living there and were born there wanted to come to the United States for citizenship he would not be admitted. Why? Because he was not a white man, according to our immigration laws. He is an Englishman but still he cannot be admitted. Under our law Great Britain,

of which England is a part, has an enormous quota of 65,000. Englishmen or citizens of British provinces are eligible to this quota if they do not come within the excludible class. A Chinese Englishman is not now eligible. The question is: Will he be eligible when this bill passes taking the Chinese out of the excludible class. I know that one section of this new bill seeks to limit 75 percent of those Chinese who will come within the 105 quota to Chinese born and now living in China. But what about the remaining 25 percent, or, rather, will not the granting of eligibility to all Chinese everywhere in the whole world result in these Chinese who are citizens of England and other countries and who have never been in China demanding to be admitted under the quota of the country in which they live? If we make all Chinese eligible do we not make the Chinaman born and living in England as eligible as any other person born in England. I should not wonder if from some situation such as I have described much litigation will result. I am sure much bad feeling might result.

I repeat, we should do what we started out to do, and we should refrain from bringing on some involvements that may result disastrously.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOSSETT. Mr. Chairman, I should like to see if we can reach an agreement as to limiting debate on this section. I ask unanimous consent that all debate on this section and all amendments thereto close in 1 hour.

Mr. HARNESS of Indiana. Reserving the right to object, I do not think an hour is enough time.

Mr. GOSSETT. That gives 5 minutes to everyone who has indicated he wants to speak on this matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HARNESS of Indiana. I object, Mr. Chairman.

Mr. REES of Kansas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there seems to be an impression among some of the Members that this legislation would dispense with or would be a so-called entering wedge to relax our immigration laws. This is incorrect. I am not in favor of relaxing our present laws with respect to immigration. The gentleman from Ohio [Mr. JENKINS] is one of the distinguished and influential Members of this House. He is a former member of the Committee on Immigration and Naturalization. His work on the committee was outstanding and his interest on behalf of restricted immigration on the floor of this House is most effective. Like my good friend from Ohio, I am also for restricted immigration. As a matter of fact, I have introduced a bill now pending before the House Committee on Immigration and Naturalization that would cut the quotas 50 percent for the next 10 years. The minimum of this in each case would be 100. I agree that immediately following this war the question of immigration is going to be a most important and tre-

mendous one. That problem will have to be handled with extreme care and prudence to see that, after all, the best interests of America are properly safeguarded.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I do not have the time or I would be happy to yield to the distinguished gentleman from Mississippi. He also believes in restriction of immigration and I have always respected his advice as well as his opinion on matters affecting this and other questions. Mr. Chairman, the gentleman from Ohio [Mr. JENKINS] has suggested this legislation would create two quotas. He explains we already have a quota of 100 and that this would make 200 in all. The quota of 100 to which he refers applies only to white people born in China and does not apply in any way to the Chinese. I thought sure the gentleman from Ohio understood that. Mr. Chairman, I think the question of "opening the gates" should be cleared up. Whether you are in favor or opposed to this legislation, it ought to be understood that this measure puts the Chinese under the quota law and wipes out the only place in our law where a race or people are restricted by name. In 1917 by Presidential order restriction by name was stricken out as to the Japanese. We did that much for the Japanese. I think, too, it might be interesting, Mr. Chairman to examine some figures on this subject. There are now 77,500 Chinese in this country. There were 34,000 here 80 years ago, so there has not been much of an increase in Chinese population in America. There are 450,000,000 people in China and about 70,000,000 in Japan, but we have 126,947 Japanese in this country, according to 1940 census figures, and 91,858 are aliens.

Mr. Chairman, attention ought to be called again to the fact that if this legislation is passed it will permit not more than 105 Chinese to come into this country for permanent residence during the period of 1 year, and of that number 75 percent must come from China, so that the other 25 percent will include Chinese that are here lawfully but temporarily and Chinese who might now reside in other countries. Chinese who are citizens of other countries cannot now enter this country as citizens of such countries. It ought to be observed this small group should and will be pretty carefully examined to see that we have the best type of Chinese who may want to enter this country for permanent residence. Mr. Chairman, I think it is fair to call attention to some comparative figures. Under our present law quotas are available from other countries in rather large numbers, although some of them do not avail themselves of the use of such quotas. For example, Germany has an annual quota of 27,370; Great Britain, 65,721; Italy, 5,802; Czechoslovakia, 2,874; Turkey, 226; Spain, 252; Soviet Republic, 2,712; Rumania, 377; Greece, 307. The total from all countries is 153,724, although, as I have said before, not all countries avail themselves of these quotas. The matter of 105 for

the Chinese is comparatively small if it really means, as the Chinese claim it does, the cementing of a little firmer friendship and a little closer tie in the present crisis. I think the House may be interested in knowing the manner in which quotas are allocated to the various countries. I shall include a table at the end of my statement showing these allocations.

Considerable has been said this afternoon about our aid to China. I want to concur with other Members who have suggested that the thing that China needs more than anything else is war materials. I am in favor of giving her everything we can in that respect because the more guns and ships and planes and other war materials we can spare to China will do more good than anything else to help save the lives of American boys, but if this legislation will be of further assistance in building the morale of the people of China it is one more thing we can do to assist her. Of course the fact remains that we did not begin to help China quite soon enough. I would call your attention to the fact that during a period of 4 years before Pearl Harbor on numerous occasions I spoke on the floor of this House demanding that we curtail and stop shipments of the huge amounts of scrap steel and iron and other munitions that were going to Japan. During those 4 years we shipped more scrap and iron to Japan than any other country in the world. Even as late as June 1941 I spoke on the floor of this House calling attention to the fact that we had shipped 800,000 barrels of high octane gas to Japan during a short period before that date. I protested to the State Department and suggested then that if we were the friends of the Chinese people the very least we could do would be to curtail these shipments and not permit them to go on in increased amounts. Of course that is "water under the bridge." We were not in the war and there were a lot of problems to be considered. We are now in a terrible, cruel war. We are fighting a most ruthless enemy. If legislation permitting 105 Chinese to come into this country annually for permanent residence will help in anywise in the prosecution of this war and save and protect the lives of American soldiers to any extent whatever I believe there will be no objection to it by the American people.

Annual immigration quotas allotted under the national origin provision of the Immigration Act of 1924, as amended

(NOTE.—Quotas are available only for aliens who are eligible to citizenship in the United States and admissible under the immigration laws of the United States.)

COUNTRY OR AREA AND QUOTA	
Afghanistan.....	100
Albania.....	100
Andorra.....	100
Arabian Peninsula (except Muscat, Aden Settlement and Protectorate, and Saudi Arabia).....	100
Australia (including Tasmania, Papua, and all islands appertaining to Australia).....	100
Belgium.....	1,304
Bhutan.....	100

Bulgaria.....	100
Cameroons ¹	100
Do. ²	100
China.....	100
Czechoslovakia.....	2,874
Danzig, Free City of.....	100
Denmark.....	1,181
Egypt.....	100
Estonia.....	116
Ethiopia (Abyssinia).....	100
Finland.....	569
France.....	3,086
Germany.....	27,870
Great Britain and Northern Ireland.....	65,721
Greece.....	307
Hungary.....	869
Iceland.....	100
India.....	100
Iran (Persia).....	100
Ireland (Eire).....	17,853
Iraq.....	100
Italy.....	5,802
Japan.....	100
Latvia.....	236
Liberia.....	100
Liechtenstein.....	100
Lithuania.....	386
Luxemburg.....	100
Monaco.....	100
Morocco (French and Spanish zones and Tangier).....	100
Muscat (Oman).....	100
Nauru ¹	100
Nepal.....	100
Netherlands.....	3,153
New Guinea, Territory of (including appertaining islands—Australian mandate).....	100
New Zealand.....	100
Norway.....	2,377
Palestine (with Trans-Jordan).....	100
Philippine Islands.....	50
Poland.....	6,524
Portugal.....	440
Ruanda and Urundi (Belgian mandate).....	100
Rumania.....	377
Samoa, Western (mandate of New Zealand).....	100
San Marino.....	100
Saudi Arabia.....	100
South Africa, Union of.....	100
South-West Africa (mandate of the Union of South Africa).....	100
Spain.....	252
Sweden.....	3,314
Switzerland.....	1,707
Syria and the Lebanon ²	123
Tanganyika Territory ¹	100
Thailand (Siam).....	100
Togoland ¹	100
Do. ²	100
Turkey.....	226
Union of Soviet Socialist Republics.....	2,712
Yap and other Pacific islands (under Japanese mandate).....	100
Yugoslavia.....	845
Total.....	153,774

¹ British mandate.² French mandate.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. WRIGHT. Mr. Chairman, I move to strike out the last two words. The statement has been made that since propaganda is based upon distortion we cannot do anything about it legislatively. To the extent that propaganda is based on distortion of course we cannot, but if propaganda is based upon truth, if it is based upon discrimination, based upon an unfairness, like it is here, we can remove the reason for the propaganda by removing the discrimination, and that is what we are about to do today.

Mr. BENNETT of Michigan. Mr. Chairman will the gentleman yield?

Mr. WRIGHT. In a moment. If I understand this amendment, we will in effect say to the Chinese, "We will not exclude you because you are Chinese, but we will exclude you because you are orientals." What weasel words, what an insult to a people! I would far rather vote against this entire act, I would far rather have Congress go on record as saying to the Chinese people, "We do not consider you equals at all" than to be guilty of this double-dealing. The gentleman would remove the discrimination against them, because of the fact they are Chinese nationals and still retain it because they are orientals. Let us not deal like that with our allies and our friends of the last 100 years.

Mrs. BOLTON. Mr. Chairman, I move to strike out the last three words. I rise to call the attention of the House to a point of view of this bill that does not seem to have been touched on in the arguments so far. I want to remind Members of a treaty we made with the Chinese, called the Burlingame Treaty of 1868, the preamble of which reads as follows:

The United States of America and the Empire of China cordially recognize the inherent and inalienable right of man to change his home and allegiance and also the free migration and immigration of their citizens and subjects respectively, from one country to the other, for the purpose of curiosity, of trade, or as permanent residence.

Implicit in these words was the conception that the Chinese could come to the United States freely and could become citizens.

The treaties of 1844 and 1855 between China and this country had said nothing about the rights of our resident Chinese, who were actually being naturalized in a few States. Not until the amendment of the naturalization law after the Civil War specifically to include "persons of African nativity" was the phrase "free white persons" definitely construed to exclude Chinese from naturalization. When the movement for the naturalization of Negroes got under way there was some activity looking to the extension of the naturalization laws to include Chinese.

In 1876 a joint special committee of Congress was appointed to study the Chinese question. The chairman of the committee, Senator Oliver P. Morton, of Indiana, was very favorable to the Chinese and against the conclusion of the committee, but because of his illness and later death, he could not be very active. Senator Edwin R. Meade, of New York, was present only a few days, and Senator Wilson, of Massachusetts, resigned, so the friends of China did not continue on that particular committee.

The following year an even less careful California report was drawn without calling any Chinese witnesses. Twenty thousand copies of this hostile document were distributed.

On this background, and without any impartial study of the problem the Chinese Commissioners were sent to China to negotiate a modification of the Burlingame treaty. This was effected in

the treaty concluded November 17, 1880, providing that our Government "may regulate, not prohibit the coming of Chinese laborers."

Disregarding the terms of this treaty there followed the Chinese exclusion laws and related anti-Chinese legislation.

The first act was that of May 6, 1882, as amended July 5, 1884. It suspended the coming of Chinese laborers for 10 years and made certain other provisions, including the requirement for certificates of residence.

Although the new treaty was allegedly the justification for this act, it did, in fact, just what the treaty forbade, prohibited rather than regulated the coming of Chinese laborers.

September 13, 1888, a new act was passed, apparently to embarrass the administration, forbidding the return of resident laborers who had gone to China to return with certificates. After violating the statute by the earlier laws, the good faith of this country was jeopardized by this act.

May 5, 1892, there was a further suspension of 10 years, and on March 29, 1902, the suspension was made permanent. The bill was expanded to prohibit the entry of other than laborers and to tighten up the requirements for certificates of residence.

These anti-Chinese laws discriminate on the grounds of race; they are in violation of our war aims, and serve the ends of the Axis.

It seems to me that we here on Capitol Hill should do our utmost to have the United States of America keep its treaties. If we have not kept faith, and it is clear that we have not done so in this instance, let us act to renew that faith that no one can say of us that we hold any treaty of no more account than a scrap of paper.

Mr. WHITE. Mr. Chairman, I rise in opposition to the pro forma amendment. I know a few things about the Chinese. I have lived with them. I ask unanimous consent that I may be permitted to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WHITE. Mr. Chairman, we are considering a most important policy in dealing with the Chinese immigration today. We are dealing with a policy that undermines civilization. We are dealing with the kind of a policy that undermined the Roman civilization. I know something about the Chinese. As a boy of 12, I was immigrated from the State of Iowa to the State of Idaho, and at the point where I landed, where my father was a railroad station agent, there were nothing but Chinese inhabitants. I think there were 200 Chinese coolies employed in the immediate environs of the little town where I landed. It was simply a station along the railroad line. I saw the Chinese. I know something of the Chinese mentality. I wonder how much these people here who want to open the gates to Chinese immigration know of the perils that the Chinese immigration raised in California in the early days, and all the troubles that the people had to maintain themselves against being displaced wholly and bodily

by the Chinese coolies, exploited by a few whites. It was the exploitation of cheap Asiatic people by the people of Rome that drove out the best fighting class in the world, their own Roman nationals, the people who had conquered the world. They were displaced by the importation of Asiatics and immigrants from Egypt, and when the barbarians came down upon Rome, where were the fighting men? They had been gone for hundreds of years, and Rome fell a victim to the invasion of the barbarians.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. WHITE. The gentleman comes from California and knows something about the Chinese. I yield for a question.

Mr. FORD. Would the gentleman compare the fighting Chinese at the present day with the weak Romans that fell then?

Mr. WHITE. I think the gentleman knows the preponderance of population in the great Empire of China. I think he knows also that the little country of Japan, off the coast of China, has been able to come in there and subdue them.

We have heard a great deal about arousing the yellow peril. We are doing everything we can do today both in China and Japan to arouse the yellow peril, that we may have to contend with in the years to come.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield.

Mr. MAGNUSON. I know the gentleman did not mean to impart the information that Japan had subdued China. I think the gentleman meant they were trying to.

Mr. WHITE. What happened to poor helpless China when the gunboats of Japan moved right in under the nose of the International Settlement at Shanghai and destroyed the Chinese end of that island? What happened there? What defense could they put up? What defense can they put up today? A few fighting men have been trained by some Germans who were withdrawn from there, and they made a pitiful spectacle, with all their vast hordes of manpower against the little country of Japan.

We want to help China in its own country, but we do not want to colonize the Pacific coast. In dealing with this bill you are opening the doors, if you please, to coolie labor. How do we know that these quotas will not be raised? How can we discriminate against the Chinese in favor of other European nationals when immigration quotas are raised?

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield.

Mr. CURTIS. Has the gentleman read the statement of Admiral Yarnell in the hearings of this bill?

Mr. WHITE. I have done better than read the statement of Admiral Yarnell. I was reading the newspapers at the time of the big fight to protect the Pacific coast from the immigration of these ignorant coolies that worked for a dollar a day. They did not even get a dollar a day.

When I was a boy the six companies flooded this country with Chinese. The only reason we do not have a worse Chinese problem today is because they did not bring in any women. The Chinese were all bachelors. They were all single, who were brought into this country to labor and naturally they died off after the Exclusion Act went into effect. There were enough Chinese on the Pacific coast to have colonized that country and taken it over from the white people completely. San Francisco today would be a Chinese city if you had not enforced this law that we are now trying to repeal.

Mr. CURTIS. I did not understand the gentleman's answer. Has he read Admiral Yarnell's testimony?

Mr. WHITE. I have not. I know something about the problem from first-hand information. I know the habits of the Chinese. They are inveterate opium smokers most of the day. They brought that hideous opium habit to this country. These Chinese coolies provide a means of spreading it out among our boys and girls. If you stop to think about what you are doing here in dealing with this Chinese question, you will not repeal this law. Under the prevailing Chinese practice, when you went out to hire Chinese labor you went to the company. You did not deal with the individual. The company furnished you 10 or 20 or 30, and a bookman with them. You had to give then an order through this bookman and pay the company for their labor.

Mr. MAGNUSON. Will the gentleman yield?

Mr. WHITE. I yield.

Mr. MAGNUSON. The gentleman is familiar with what country brought the opium habit to China?

Mr. WHITE. Well, I know something about that, too. I know we are out today with our men to support the empire that sent their warships in to strike down the Chinese defense, and make them take their opium. We are companions in arms today with the people that forced opium into China when the Chinese Government had prohibited its importation in order that a few capitalists might make some money out of it. I know that hideous story. I believe we should think about what we are doing today.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield.

Mr. KEEFE. As I understand the gentleman, the facts upon which he is basing his argument were derived 50 years ago, when he was a boy of 12. Is that right?

Mr. WHITE. Well, I lived there until I reached manhood, and I know something of the Chinese mentality and Chinese habits. There is no melting pot in America that can change their habits or change their mentality. It is a process of slow breeding and slow education. If there are any people who have refused to accept our standards and our education, it is the Chinese.

Mr. KEEFE. The gentleman concedes, does he not, that he has made some progress in the last 50 years?

Does he not feel that the Chinese people have likewise made some progress in that period of time?

Mr. WHITE. When I go into the gentleman's State of Wisconsin to buy some cattle I try to look around and get cattle that are bred-up over a period of a good many centuries. If I want a horse I go there and get a horse of a breed that has been improved by breeding over a long period of time.

I do not think we can take the Chinese with their habits and mentalities in this year and time into our great American melting pot and in 10 years or a hundred years bring them up to our standards of civilization. It is impossible. We may be placed in the same position as the sentimentalists were in the South after the Civil War who wanted to do something grand for civilization. You have got a long, tough job to bring them up, and you still have race riots and other racial problems confronting you.

Mr. Chairman, it is not only a matter of bringing 105 Chinese into this country; that number would not do a great deal of harm, but you open the gates when you drive this entering wedge and then you make some changes in our immigration laws. You may have cause to regret the things that you are doing, the things that the people in California and the people of the west coast went through some 50 years ago.

How many of you Members know anything of the devious ways of the "wily Chinese"? The younger people of the west coast have grown up since these problems have passed. Do you know that under the operations of the six companies handling Chinese coolie labor, practically all of their food was imported from China, and that the Chinese were not permitted to buy food supplies in our stores—and if any of the gang who cooked and ate in common broke this rule and bought anything from an American store, that the Chinese company deducted the exact amount of that purchase from their pay at the end of the month? I know this to be a fact, because that rule was enforced on the Chinese gangs that worked in our community. Do you know that Chinese labor was contracted in gangs by the six companies who supplied an interpreter and a bookman to direct their operations in our country, and the railroads paid the contractor \$1.10 per day—the 10 cents went to the six companies and \$1 to the man with which to pay for his food and clothing—and out of which he could save up to send money back to China. Most Chinese are inveterate gamblers and opium smokers—the fan-tan games were run by the company, and the coolie losses were taken out of their pay with the result that most of the coolies were never free of debt. Talk about peonage and American standards of living! I wish you could have gone with me as a boy into these Chinese hovels, built by digging a shallow pit in the forest, and laid up with logs and a dirt roof, heated by a little funnel of a sheetiron stove, with its tiers of bunks around the side and across the end that had only a hard

straw mat for a bed—with an opium can and the inevitable opium pipe for the use of its occupants. The scene of these coolies lying on their hard beds smoking opium through their water-filled bamboo pipes, I will admit, was fascinating. Let me tell you the country along the lines of our early day transcontinental railroads are strewn with the relics of these old Chinese huts where Chinese coolies lived and smoked opium, and worked 10 and 12 hours for \$1 per day.

I have no animosity against the Chinese. We children loved the Chinese cooks and laundrymen who lavished Chinese "goodies" on us on Chinese New Year's—and even remembered our own Christmas.

Let us help the Chinese—but help them in their own country!

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. DEWEY. Mr. Chairman, I rise in opposition to the pro forma amendment, and I ask to proceed for an additional 5 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DEWEY. Mr. Chairman, on February 18 last this House collectively lost its heart to Mme. Chiang Kai-shek. It is my hope that we will pass the legislation that is before us, thereby expressing our admiration for China, a great nation which has sacrificed so much for the common cause.

I would like to quote from the address of Mme. Chiang Kai-shek:

The traditional friendship between your country and mine has a history of 160 years. I feel, and I believe that I am not the only one who feels this way, that there are a great many similarities between your people and mine, and that these similarities are the basis of our friendship.

Mr. Chairman, it is my belief that China and the United States are economically complementary, and I believe that our economic history and China's economic future will show points of great similarity. We all recall that it was out of the internecine war in which our fathers on both sides of the aisle so heroically fought for their ideals; it was, as I say, from the Civil War that the American industrial revolution was born. It was not until 1866 that the first railroad spanned the United States. This first great move to open communication between the distant points of our great continent ushered in the development that has made us the most powerful Nation in the world.

Our ally, China, will undoubtedly follow the same course of economic effort. Her old civilization has been slow to accept modern methods, but I believe that when the war is past and peace again comes to what I hope and believe will be a united China, our western methods will be accepted and China will commence her industrial revolution.

I should like for a moment to digress and consider what will be the position in our own country following the war. For my part, I believe that only through an economy of plenty and full produc-

tion can this country continue to give jobs and employment to those now employed and offer employment to our returning soldiers and sailors. Such a policy naturally has certain dangers. With our great ability to produce both agricultural and manufactured products, surpluses may result. I, for one, will take my chance of financing our surplus materials outside of our country to those that may need them, as compared to risking underemployment and bread lines as a result of restricted production.

If we are to have surpluses, China, which has been so devastated by 5 or 6 years of war will certainly welcome them. What is more, China will make a great demand upon us for many years to come for all sorts of finished materials—tools, transportation, machinery, and hundreds of other items that she is now incapable of producing herself.

One of the first and principal requirements of China will be transportation facilities. Transportation not only by railroad, but by road and air. Secondly, China will have great demand for all types of agricultural machinery. As regards agriculture, the farmers of the United States need have no fear that China will compete with American agricultural products. From the point of view of food China is greatly undernourished and it will be many years before her 450,000,000 people will be in a position to feed themselves adequately. In other words, it will, from the cold, selfish point of view be of great advantage to American workmen and farmers to take part in China's forthcoming industrial revolution.

So far, I have only spoken of the things that we are to provide China. The Chinese are a race known throughout the world for their willingness and desire to fairly settle their financial obligations; it is worth our while to consider for a moment how they can accomplish this.

There are and always have been certain items—tea and other agricultural products—which we have taken in great quantity from China, the sale of which has provided the dollars to buy those things China needed from us. Moreover, China is one of the world's leading producers of tin for which metal there will always be a great demand in the United States. Further, in tungsten and antimony China dominates the world market, and these two materials will become increasingly used in American manufacturing processes as we turn from steel to the lighter and tougher metals which can be made by their admixture.

I cannot help but believe that when the vast country of China is scientifically explored many other natural resources will be found. Practically all are present today but in limited quantities; limited probably by lack of proper development.

Contemporary China, beneficiary of an ancient culture, is readjusting the economic life of her country. In seeking help and assistance I think that she will turn to us. I admit that there will always be competition in world trade, but I believe the Chinese had rather deal with Americans as a people than with many other nations with whom they

have come in contact. Many other nations have had imperialistic ideas. The Chinese know that we will come to them as good merchants, willing to sell and willing to buy, and willing to lend our methods and arts that they may more quickly start their industrial rebirth.

When I say that our attitude toward China has been nonimperialistic, I give my reasons.

Who was it that forgave the Boxer indemnity? The United States.

Did any other countries? No.

Who waived the extraterritorial provision?

Did other countries? No.

Did the United States? Yes.

I think that China appreciates that we Americans have no ulterior motive.

Mr. Chairman, I hope that the Exclusion Act which has been used by our common enemy to cause misunderstanding between our two great nations will be repealed. I hope that we Americans can take our part in assisting the Chinese to restore their nation, that American workmen will provide the machinery and the tools which will be later operated by Chinese hands.

Mr. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to preface my remarks by saying that practically every responsible organization on the west coast is in favor of this bill.

Mr. Chairman, as I have stated on a previous occasion, I am heartily in favor of H. R. 3070, a bill to repeal the so-called Chinese Exclusion Act.

I have heretofore given what seemed to me to be sound reasons for this stand.

Today I feel even more strongly that this act should be repealed, and I shall state additional, and I believe compelling, reasons for my convictions; they are:

First, the Chinese people, ill-housed, ill-clothed, ill-fed, and practically unarmed as they are, have for years withstood the onslaught of the Japanese hordes. They are today one of our most important allies, holding the line, fighting a defensive and delaying action while we slowly, but surely, gather our strength for the final blow that will overwhelm both Hirohito and Hitler.

The second reason, based not on sentiment but on sanity, is that China will emerge from this war as one of the four major powers. She will be a sovereign and independent nation, enjoying all the sovereign rights of other independent nations. If we persist in maintaining a policy of exclusion, what is to hinder China, and who could criticize her, if she in retaliation exercised her sovereign right to exclude our nationals from China?

I feel that it is outrageous to put the appeal on this basis, but since our opponents are taking the hard-boiled attitude I feel that I am justified in calling their attention to the position that China would be justified in taking, a position which would work as great an economic hardship on us as it would on her.

At this point I want to reiterate my firm conviction that the Chinese are a great people. They have developed a civilization that is shot through with

cultural elements that would be tremendously beneficial to our western civilization; they have demonstrated that as a nation they possess qualities that are closely akin to the qualities that we as a nation prize most—a love of liberty—a love so intense that they are willing to sacrifice blood and treasure immeasurably to sustain that principle.

In addition to this, they are a reliable people; they possess traits of character that are entirely consonant with our own ideals; they are honest; they have on innumerable occasions demonstrated that they are loyal. They are good citizens in every sense of the word, and those born here and endowed with citizenship rights by reason of birth have demonstrated that they are sound, sane, and patriotic American citizens.

Personally, I have found that the Chinese with whom I have come in contact are splendid individuals worthy of confidence in all matters.

I have always felt that Chinese exclusion was a mistake. It has deprived us of a type of citizenship that would have been a real contribution to our body politic.

I sincerely hope that the Congress will promptly rectify this erroneous discrimination against a great people who, if permitted to enter on equal terms with other nations into our American body politic, will make a distinct and tremendously valuable contribution to freedom as conceived by democracy.

Mr. GOSSETT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 1 hour.

Mr. HARNESS of Indiana. Mr. Chairman, reserving the right to object, and I shall not object if the gentleman will limit his request to the pending amendment.

Mr. GOSSETT. My request is limited to the present amendment and any amendment to the pending amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on the pending amendment and amendments thereto close in 1 hour. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Texas [Mr. POAGE] is recognized for 5 minutes.

Mr. POAGE. Mr. Chairman, I, too, was at one time a member of the Immigration Committee, and while a member I am sure I had the reputation of being rather strict and rather opposed to allowing people to come into the United States, and I have been criticized somewhat by some of my very liberal friends for that. I still feel that a strict policy of limiting immigration to the number that we can absorb is a sound policy for the United States. But I recognize that times do change, even though the gentleman from Idaho [Mr. WHITE] did suggest that we should go back 82 years and legislate on the basis of conditions as they existed at that time.

We are now engaged in what we call an all-out global war. Our enemies are putting all they have into this war. We can do no less. They are smart enough to use psychological and political, as well

as mechanical, weapons. Certainly if this Congress can, by the exercise of common sense and a little elementary statesmanship, save a single soldier's life, it is our solemn duty to do it. If we can, by legislation or by diplomacy, save the lives of American boys, then you and I are guilty of the deaths of those whose lives would be sacrificed if we do not take such action as we can to save their lives. If we simply raise a political hullabaloo and drag up conditions that existed 82 years ago and use them as an excuse to let American boys lose their lives, then we are not playing the game as good Americans. I do not think there is a Member of this House who is not more interested in keeping our allies fighting, in winning this war as quickly as possible, in saving American lives, than in his pet theories and assuring his own reelection, but I do think that there are too many Members who have never realized the far-reaching implications of this bill and the grave danger of contributing to the continuation of the war if we vote against it.

There is not a practical man or woman in this House today who does not know that this bill is of practical importance to China and of nothing but political importance to the United States. Of course, we know that we can drag up a political hullabaloo and say that we are afraid to open the doors to China, when you know and I know that 105 Chinese a year are not going to hurt the United States. Even the most active enemies of this legislation have admitted that it will not hurt this country, that it will not interfere with labor, that it will not interfere with the development of this Nation, that as a matter of fact, it will have no practical effect at all. You know, as I know, that it will have no practical effect on the United States, that it is purely political as far as the United States is concerned. In China, however, it will have vast practical effects. Last night I had the pleasure of visiting with a friend whom I had known as a boy in Waco, Tex., many years ago. This friend has been in China for the last 12 years. He just flew back this week. He has been flying over the Himalayas taking supplies into that heroic nation for the past 18 months. He tells me that there is no one thing America can do today that will have as much practical effect toward keeping China in this war as to pass this legislation. Oh, I know those who do not want this bill passed tell us we are doing a great deal for China, but those who come from China, Mr. Chairman, like my friend who was there last week, tell me that with all of our bragging we are not bringing as much goods into China today as they are getting through the Japanese lines by smuggling; in other words, the Japs are bringing more supplies into free China than we are.

I fear that the opponents of this bill, in spite of their touching concern for China, in spite of their criticism of the bill for not going far enough, in spite of their repeated assurance that "China will understand and remain loyal to the United States," I fear that these self-professed friends of China want to give China about the same amount of moral

support that we have been giving in the way of material aid. From a material standpoint we have given money and credit, but we have provided no way whereby the credit in the New York bank can be converted into gasoline and medicine in Chungking.

Do not think that you can expect the support of the Chinese people, do not think that Chiang Kai-shek and his government can continue to rely on the support of their people for the friendly policy of the Chinese Government with the United States unless we can give them some kind of results. You as practical men should know that if you are to expect the support of your electorate you have got to show some results now and then. The Chinese Government has got to show some results now and then or its people are not going to follow it blindly forever in a policy that simply says, "Oh, yes; the United States is your great friend." Let the United States exhibit its friendliness to China. We cannot do it today by delivering airplanes; we cannot do it by delivering gasoline; we cannot do it by putting soldiers in China because we cannot get them there; but you and I can today deliver tangible evidence of American good will by passing this bill. In so doing we will help in a small way to keep a most vital ally fighting until we can take more material steps to show China that she does well to look on America as a friend.

The CHAIRMAN. The time of the gentleman from Texas has expired.

The gentleman from Ohio [Mr. VORYS] is recognized for 5 minutes.

Mr. VORYS of Ohio. Mr. Chairman, I taught school in China for a year after the last war, at Changsha, the place where they have whipped the Japs 4 times since 1939. I do not claim that a year in China makes me an expert on China any more than a year in this country would make a Chinese an expert on America, but I cannot sit here in silence and hear things said about the Chinese through ignorance that simply are not true. The Chinese were a civilized people when your ancestors and mine were wearing skins for clothes and fighting with clubs. They have a pride of race similar to the pride of race that you and I have; they have a pride of color. They look upon mixed marriages the same way white people look on mixed marriages. They have a dignity, a humanity, a democratic spirit which is simply magnificent. When we talk about permitting 105 Chinese to come in here as if we could stand that much damage to our culture and our blood stream, we are taking a pretty stupid and bigoted viewpoint, because the sort of Chinese that will come in under that quota of 105, who must pass educational, financial, and moral tests, will be a contribution to American life, not a detriment. They will not provide much dilution to our blood stream, because they do not go in for intermarriage between races, and I am not criticizing them for that viewpoint. Their total effect on American life will be good, not bad.

We have all heard about "face," how important "face" is in China—"face," pride, dignity. Although the Chinese

have their own standards of "face," we have the same thing in this country. If the situation were reversed and we were doing more for a certain nation than any other nation, and they treated us with contempt we would "lose face." I have heard Congressmen on this floor complain of the lack of appreciation by the British and the Russians of our part in the war effort. Why is it important to be appreciated? Is appreciation worth anything? We know it is when we want to be on the receiving end. We are not expecting any patient in dollars for what we are doing, but we do want so much to be appreciated. The Chinese are human, too. "Face" is not just oriental. It is universal.

You say this is only a gesture. Gestures are important. Shaking your fist is a gesture, but an important one. Shaking hands is a gesture, but an important one. This is an important gesture to a people to whom we owe much and for whom we are in a position to do so little from a military standpoint at such a crucial time. No other nation is so important to us right now, has been for some time in the past, and probably will be for some years to come, as China, from a military standpoint. There is no other nation on our side in this war for whom we are doing comparatively so little. Let us take the Chinese at their word; let us take the word of the people who know something about China and realize that this gesture is important.

I sat as assistant secretary of the American delegation at the Conference on Pacific and Far Eastern Affairs in 1921 and 1922 here in Washington, when we became a party to an international treaty, the Nine Power Pacific Treaty, and undertook obligations toward China which we have not yet fulfilled and which we are not now, right at this moment, in a position to fulfill. Let us at least do this one thing, this gesture which is important to a dignified, great people, civilized long before we were, to show them not that they are in a favored position but that they are no longer in an unfavored position.

If the precedent we are creating here is that we will remove discriminations against any nation on this planet that is fighting our battles for us at a time when we cannot do much about it, who are a race of great people, a civilized people, a fine people, all right, let us create that precedent; it is an excellent precedent to create. It will not only help the Chinese, but will help us.

We have had unusual relations with China. Burlingame, our Minister to China, turned around and became the Chinese Minister to the United States. We returned the Boxer indemnity money. China has accepted our educational system. Those who say there has not been any change in China in the past 50 years or in the past 20 years since American education has spread through China, simply do not know the facts. We have had unique relationships with these people who are of unique importance to us. If this war or its aftermath develops into a race struggle there will be about half a billion more people on the side of the colored races

than on our side. In such a crisis the fact that the most numerous colored race on earth has had unique relations of friendship with the United States, that single fact, may prove the salvation of the white race. We may be helping our own race more than we think when we make this gesture, and establish this precedent today, by passing this bill without amendments.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The Chair recognizes the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, as one who knows the Chinese, I want to add my endorsement to their splendid qualities. It so happens that I come from a city in which is located the second largest concentration of Chinese people in this country. From an intimate association with them, I know them to have wonderful qualities, I know them to be fine neighbors, I know them to be honest, upstanding, trustworthy. I regard them as highly desirable residents. But, with all of these commendable qualities, I also know that the Chinese are unusually intelligent, very keen, and discerning. Certainly, they are not gullible or easily fooled. So I rise to inquire, Why this law?

Is there anyone among us so guileless as to believe that we are going to placate the Chinese and further intensify their friendship for us, these Chinese people who number more than 375,000,000, by merely changing our laws so as to permit an insignificant 76 of them to each year enter this country? Seventy-six out of 375,000,000! If the Chinese are going to be fooled by that kind of a gesture, if they are going to be swayed in their sentiment of friendship toward us by that kind of an idle device, then, indeed, the Chinese are no longer the proud, sensitive, and intelligent race I have always believed them to be. I think too much of the Chinese people with whom I grew up not to resent the unhappy implications which this loosely drawn and ill-considered legislation gives rise to.

The repeal of the provisions of the Exclusion Act, which has been on our statute books for a half century, and, though on our statute books for all of those years, has not interfered with the friendship of the Chinese for the Americans or the Americans for the Chinese, will not and cannot result in that which its well-intentioned proponents assure us is bound to follow. Why change the act for such a silly, inconsequential, ridiculous reason as the one which has been advanced? Seventy-six immigrants a year out of a population of 375,000,000 Chinese nationals; the very mention of these disproportionate figures is to add insult to injury. And the proponents of this idle gesture assure us it will promote friendship.

All I can say is that when the cry of "it will help win the war" is raised, it does not take much to stampe the, which was once known as the world's greatest deliberative body. Even to the most obtuse, a quota of seventy-six is as much an exclusion act as is the Exclusion Act itself.

Even though it is but an idle gesture insofar as the Chinese are concerned, its enactment is bound to have most unfortunate repercussions down in Manila. It is going to, in all probability, cost us a lot of friends down that way, in the Philippine Islands, where every friend saved is an enemy we will not have to fight.

Are there any among us that have forgotten that the Philippine Independence Act provides that from the date of its enactment to the date on which they assume their full independence, but 50 Filipinos shall be permitted to enter this country, and that all of these by the very act itself have been declared ineligible for American citizenship? Have we forgotten that that same Independence Act provides that after independence matures and the Philippine Commonwealth becomes an independent nation, all Filipinos shall be deemed ineligible for American citizenship, and that no Filipino shall be permitted to enter the United States for permanent residence. The race of the little brown men of Manila will, after the Chinese Exclusion Act is repealed, be the only race on earth that will remain under the stigma of ineligibility to American citizenship.

But the walls of this ancient Chamber continue to rock with ear-dinning assertions that this 50-year-old Chinese coolie Exclusion Act has become a dangerous Japanese propaganda weapon. My God, Mr. Chairman, what kind of a propaganda weapon are we placing in the hands of the Japanese by the repeal of this Chinese Exclusion Act? Already I can hear them chanting over the radio that the United States holds them, the Filipinos, in such contempt that we have by our laws declared theirs to be the only race so inferior and so degraded as to be unfit to enter the United States, even on the quota basis.

You can bring in a silly, foolish bill calling for repeal of the Chinese Exclusion Act—an idle gesture, at best—and accomplish nothing with it insofar as the Chinese are concerned. But that repealer can become—this as certainly as night follows the day—a source of tremendous danger to the future relationships of the United States and the Filipino people. So when you think of this friendly gesture as but a passing expression of good will, let me impress upon you that that gesture may work our undoing in a section of the world where we need friends more than we have ever needed them before.

Mr. WELCH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair cannot recognize the gentleman as the time has been fixed. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. MAGNUSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAGNUSON. How much time is there left on this amendment?

The CHAIRMAN. The gentleman knows that the time was limited to 1 hour. Twenty minutes have been consumed, leaving 40 minutes on this

amendment and all amendments thereto. The Chair may say that there are a sufficient number of Members on the list to give 5 minutes to those on the list and no more.

Mr. CRAWFORD. Mr. Chairman, yesterday when our friend and colleague from Minnesota was on the floor, I requested the gentleman from Minnesota, Dr. JUDD, to yield to me, because I wanted to ask him some questions. He did not deem it advisable to yield at that time and in looking over the RECORD it is stated that his remarks will appear at some future time in the Appendix. Therefore I have not had the opportunity of reviewing what he had to say.

One of the questions I wished to submit at that time pertained to what he had to say about the enormous undeveloped or potential market there is in China. We have discussed the matter of bringing in people from China who can perform work in competition with American people who wish to work. Little has been said about the goods that might come from China in payment of services and the goods we might send to China for the purpose of industrializing that great republic. So I wanted to ask the gentleman from Minnesota, Dr. JUDD, how does he propose to finance the potential market to which he refers as existing in China? If he wishes to answer that question now I yield at this time.

Mr. JUDD. Is the gentleman's question, How will the Chinese pay for the materials they get from us?

Mr. CRAWFORD. That is right.

Mr. JUDD. Fortunately, the situation in that regard is one of the strongest arguments in favor of the point I was trying to make yesterday. After the last war we sent considerable amounts of goods to Europe and in most cases we had to lend them the money to pay for those goods. In the case of China, her economy does not compete with ours, so far as her products and commodities are concerned. They complement ours. She has tungsten, tung oil, bristles, silk, antimony, and a great many other things which she can use to pay us for the things that she needs from us. Therefore, there is a great deal less conflict between our economy and China's than there is between ours and many nations of South America, for example.

Mr. CRAWFORD. On that basis would it not be true, as far as the gentleman has explained it now, that the market we would have out of China in the future would simply be the market we have at the present time as covered by the present imports from China? What additional market did the gentleman add to the proposition in that explanation?

Mr. JUDD. As the Chinese become more industrialized, and that is the only way people have ever been able to raise substantially their standard of living, they will have more purchasing power and there will be a greater interchange of goods and a greater amount of commerce and exchange of tourists and visitors back and forth. Unquestionably her purchasing power will increase.

Therefore, she can buy more from us. The fact that so many fortunes for Americans and Britons have been made in China in the past would seem to me to be strong evidence in favor of the statement that it is in our own economic interest to develop this good will and trade.

Mr. CRAWFORD. Of course, we may say that there is an unlimited market all throughout the world as well as here in the United States. In my opinion, we have merely scratched the surface here in the United States among our own people. I think our own people could consume three times the volume of goods and services we are consuming at the present time or ever did consume before, when we once work out a way of financing it. But as we proceed to develop the rest of the world industrially, which many of these new concepts now appear to cover, all the time the proponents are asking us to do the financing for that development, I ask the gentleman: Who is to buy the bonds that must be sold in this country for the purpose of financing the industrial development of these new areas of the world? Our people will have to learn the art of foreign investment and accept low tariffs, otherwise these new concepts will have to be largely abandoned.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Chairman, I imagine the particular thing that urged me to ask for this time was to take my position in favor of the unamended and undisturbed adoption of this bill, which I regard as just as helpful to our people as anything we can do in this great struggle for freedom and the salvation of our own country.

It does not make any difference whether the number who will be permitted to come in under this bill is 76 or 105 or more; the thing is that I apprehend from what I have seen of the people of China and from what I have read about them that they have a spiritual appointment as well as a physical possession. We cannot continue to permit this discrimination, and it has been a discrimination, the reasons for which I would not undertake to give, and I shall not say anything with respect to the wisdom or the unwisdom of those things that are past. I really cannot imagine why it was ever done, but probably there was a reason for it. But I cannot imagine at this time, when we have come to realize that no man can live to himself and no nation can live to itself, and that we must create and cultivate throughout the world a spirit of brotherhood, the good-neighbor doctrine, and good will as among peoples, that we should permit this discrimination to obtain longer between us and the great people of China.

We are going to need China through this war and after this war is over. Their position is such that if we want to consider it from the standpoint of our own welfare, that we will need China to keep the peace throughout the centuries

to come and to prevent a recurrence of this awful debacle into which we have found ourselves thrown at this time.

This is a gesture, and it is no more than a gesture, but it is a friendly handshake that knits together the hearts and the souls of two great peoples. I hope for our own good and for the good of the world and the peace of the world that this bill will be adopted without any kind of amendment or apologetic gesture of any sort.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, a great deal has been said on this floor for the purpose of minimizing the importance of this resolution. It has been characterized as psychological warfare. Maybe it is, but Japan is using psychological warfare against us in order to win the friendship, the good will, and the cooperation of the Chinese people.

Two percent of the population of Japan has accepted the Christian faith, undoubtedly as a result of the missionaries sent to that country by the Christian churches in years gone by. Japan has been shrewd enough to use that 2 percent of her population, Japanese Christian workers, and has sent them among the Filipino people and also among the Chinese people in order to win over those peoples to the Japanese cause. They are telling the Filipinos and the Chinese they can have freedom of religion, they can have independence of government. We all know that the Filipino people are a devout people and have been for 400 years. What is more, Japan is giving just a little bit more to the Chinese people than some of her own rulers have given them, and let me say to you that they have succeeded in China with the Chinese people to a degree greater than we want to believe. Their success with a policy of pacification has achieved much, perhaps has added greatly to their aggression with the bayonet. The promise of a full stomach in a nation and a country that has known universal impoverishment for centuries does go a long way to win over a people to the propaganda that Japan is using against the United States. We can remove an affront to a friendly nation and a peace-loving people by adopting this resolution.

We need the help of the Chinese people. They need ours. This may be a gesture but it is a friendly gesture. It is a step in the right direction. They are our allies. Let us encourage them today with what we do in this Chamber in order to stiffen their morale and encourage them to resist, and in that way aid the Allied cause.

Mr. Chairman, I hope this bill will pass. I have no fear of its consequences on the American people.

Mr. SAUTHOFF. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. I am in full agreement with what the gentleman from Michigan has said. I wonder if he would

not go a step further with me and say that when it comes to writing the peace a woman should be represented on the peace commission. I should like to nominate for that particular office Mme. Chiang Kai-shek, who is not only a credit to her own country, but one of the world's outstanding personalities, honored by people all over the world.

Mr. DONDERO. I am sure the American people would agree to that suggestion and I would approve of it. I thank the distinguished Member from Wisconsin and my friend for his contribution.

May I say to you that the objective of Japan is not only to destroy us as a military power in the southwest Pacific but to unite one-half of the population of this world in a race war against us, the white people. She is using the age-old prejudice of race and color to attain that objective. Let us do what we can to counteract it.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. RANKIN. Mr. Chairman, I intend to support the amendment offered by the gentleman from Michigan [Mr. BENNETT]. It ought to be adopted.

I believe when we pass the first section of the bill we will have eliminated that part of the law to which the Chinese object.

I was very much surprised to hear the gentleman from Washington [Mr. MAGNUSON] rise on the floor here and advance as an argument the fact that Japan was propagandizing against the minority report. Of course Japan wants the door left ajar for her to get her nose in after the war. Where is this propaganda coming from? Not from the Chinese, but from Japan, whose Black Dragon Society has been propagandizing the United States for the last quarter of a century, to wipe out what they claim is a discrimination against them.

Let me say to the gentleman from Michigan [Mr. DONDERO] and other gentlemen who have spoken here, that I was in the House when the present immigration law was passed, and some of the very men who are now clamoring to break down our immigration laws were here at that time opposing the passage of any law at all that would restrict immigration in any way.

If you pass this bill with sections 2 and 3 in it, when this war is over you will have given Japan an argument for breaking down our immigration laws, so that she can flood the district of the gentleman from Washington [Mr. MAGNUSON], so that she can flood the States of Washington, Oregon, and California with Japanese immigrants.

I am not disturbed about what Tokyo says about Members of this House. I am sure Tokyo does not think any less of us than we think of Tokyo.

I heard Mme. Chiang Kai-shek, who some of these propagandists are trying to besmirch, when she spoke here. She is undoubtedly the greatest Christian leader that China has seen in 1,900 years. She did not ask us to change our immi-

gration laws. She asked us for help, for materials, for munitions of war, for food, for manpower with which to fight Japan. You will not offend China if you adopt the amendment of the gentleman from Michigan. You will not offend anyone who has any rights in the matter.

You will offend Japan, because Japan wants those two last sections as a wedge to propagandize her way into breaking down the immigration laws that keep her out of this country after this war.

I hope the amendment of the gentleman from Michigan will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. ROWE].

Mr. ROWE. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last word. I consider this a very important bill in reference to this war, and I also consider it a just bill. I think it does justice to a great people, and I use the word "great" advisedly. The Chinese people have proven that they are great both in peace and in war. The Committee on Foreign Affairs last year held a hearing upon a resolution to grant financial aid to China. At that time there appeared before the committee the Secretary of War, Mr. Stimson, the Secretary of the Navy, Mr. Knox, and the Secretary of Commerce, Mr. Jones, and all of them paid tribute to the part China is playing in the present war. Mr. Jones in his statement as Secretary of Commerce said that China, in her dealings with the United States and in the loans that we had made to her, had always been prompt in payment and meticulously honest and usually paid the loan before it was due. That China was one country with whom we had dealings that had never defaulted on any promise that she had ever made. Furthermore, Mr. Chairman, Chinese people have demonstrated that they have within them a spirit and a soul and a determination to live and die for their country and for what they believe to be right. No country ever fought more valiantly. I venture the assertion that when this war is over, with the long sufferings and sacrifices made by the Chinese people during the 6 years, when they have been fighting, fighting practically with their bare hands against an army, a well mechanized army, a cruel army, that she will have written for herself in her heroic conduct and her fight against Japan a name that will live in history throughout the centuries to come. This bill does simple justice to a great country who is our ally, who is heroically fighting, and who has saved and will save the lives of thousands of young Americans.

The CHAIRMAN. The time of the gentleman from Texas has expired.

The CHAIRMAN. The gentleman from Georgia [Mr. RAMSPECK] is recognized.

Mr. RAMSPECK. Mr. Chairman, I think support of this bill could be justi-

fied on the ground of doing justice to a valiant ally whose fighting in this war may well be the balance of power between victory and defeat for the forces of Christian civilization. But I think we can well place justification for our support solely upon the basis of a war measure. We realize that the basis of the campaign for power on the part of the Axis countries has been to divide and conquer; to use Quislings for the purpose of bringing to their support groups of people within the nations they expect to take over. They are trying to do that in China today, as has been well pointed out here. This action on our part will, in my judgment, do as much as anything we could possibly do to stop the effectiveness of the Quisling movement on the part of Japan, an Axis partner, in bringing to their support a part of the Chinese people in the occupied territory.

The gentleman from Ohio [Mr. JENKINS] raised the question about the State Department and the fact that no appearance by a representative of that Department was made before the committee. Surely the gentleman has not forgotten that the President of the United States sent a message to Congress advocating the passage of this act. He speaks not only for the State Department but for all other departments in the executive branch of the Government.

The gentleman from Mississippi [Mr. RANKIN] says that Mme. Chiang Kai-shek did not ask us for this legislation. The gentleman is very much mistaken. She may not have referred to it in her speech to this body, and to have done so would have been in poor taste, because it is a matter of legislation. But I am told by members of the committee who talked with her that she earnestly urged it and pointed out the value of it to her and her husband and to those who are of like mind in China, in their efforts to keep the Japanese from using Quislings there for the purpose of destroying Chiang Kai-shek's government.

Mr. RANKIN. Will the gentleman yield?

Mr. RAMSPECK. I yield for a question.

Mr. RANKIN. Is it not a fact that all she asked for was the wiping out of the Chinese Exclusion Act?

Mr. RAMSPECK. That is not my understanding of it. She did ask for the repeal of the Chinese Exclusion Act, and, for putting China on the same basis as the other peoples of the world.

Now, who is using the quota now? Last year there was only one nation that used 100 percent of the quota and that was Spain. Would you rather have them come here than the good people of China? Other countries that used as much as 50 percent were, Greece 99 percent; Portugal 59 percent; Turkey 56 percent. Only 6½ percent of the quotas of all countries who are authorized to have quotas under this law used their quotas during the last 12 months.

Like the gentleman from Kansas [Mr. REES], I believe in restrictive immigration. I would support legislation to reduce the quotas, but let us help our boys over there by passing this act which

those best informed regarding the situation believe will greatly assist our ally China and thus save the lives of many of our soldiers and sailors.

Mr. Chairman, under leave to extend my remarks, I include a statement regarding the quota situation:

THE QUOTA SITUATION TODAY

The quota situation today is in sharp contrast to that of earlier years. According to the State Department only 6.4 percent of the total yearly quota was used in the fiscal year which has just ended (June 30, 1943); in the 1920's between 95 and 98 percent of the total quota was almost invariably used up. In the fiscal year 1943 only one quota, the quota for Spain, was exhausted; in the 1920's all, or almost all, of the important European quotas used to be exhausted as soon as the immigration law permitted—that is, by the tenth month of the fiscal year (May)—and the registered demand against them was so large that applicants might have to wait sev-

eral years for their turn to get a quota immigration visa. In the early 1930's, due to the depression and the strict enforcement of the L. P. C. clause ("likely to become a public charge" clause) of the 1917 immigration act by our consuls because of it, there was a drastic reduction of immigration similar to the one which war and the disruption of transportation facilities have now effected and a low was reached in the fiscal year 1933 when only 5.2 percent of the total yearly quota was used. During the second half of that decade, however, immigration was beginning to resume normal proportions—38 percent of the quota was issued in 1939—when war forced the curve downward again—as stated above, to 6.4 percent last fiscal year.

In 1943 no country, except Spain, used up the quota assigned to it. Of the other countries, Greece came nearest to doing so; all but three numbers of its quota were used. In this connection the following table which furnishes information on this point for all the important European quotas may be of interest:

Status of certain European quotas as of June 30, 1943

Country	Yearly quota	Quota numbers issued in 1943 to—			Total issued	Unused balance	Percent of quota issued
		First preference relatives	Second preference relatives	Non-preference immigrants			
Belgium.....	1,304	3	5	127	135	1,169	10.3
Czechoslovakia.....	2,874	15	0	395	410	2,464	14.2
Denmark.....	1,181	8	2	114	124	1,057	10.5
Finland.....	569	10	1	104	115	454	22.1
France.....	3,086	7	5	354	366	2,720	11.8
Germany.....	27,370	26	82	1,422	1,530	25,840	5.6
Great Britain and Northern Ireland.....	65,721	93	41	1,731	1,865	63,856	2.8
Greece.....	307	57	2	245	304	3	99.0
Hungary.....	869	7	1	175	183	686	21.0
Ireland.....	17,853	5	0	207	212	17,641	1.2
Italy.....	5,802	12	0	195	207	5,595	3.5
Netherlands.....	3,153	7	2	203	212	2,941	6.6
Norway.....	2,377	19	1	92	112	2,265	4.7
Poland.....	6,524	59	24	1,697	1,780	4,744	27.2
Portugal.....	440	27	32	204	263	177	59.8
Russia (U. S. S. R.).....	2,712	25	8	436	469	2,243	17.2
Spain.....	252	26	16	210	252	0	100.0
Sweden.....	3,314	12	0	93	105	3,209	3.0
Switzerland.....	1,707	3	0	107	110	1,597	6.4
Syria and Lebanon.....	123	5	1	41	47	76	38.2
Turkey.....	226	13	1	114	128	98	56.6
Yugoslavia.....	845	12	1	91	104	741	12.3

The present quota situation, as was pointed out above, is very different from that in the 1920's and, to a less extent, from that in the years just preceding the current World War. As the following shows, all the coun-

tries included in the previous table used up their quota in 1928 and, with the exception of Ireland, in 1929; a considerable number of them did so also in 1938 and 1939.

Quota situation in 1943 compared with that in certain earlier years

Country	Percentage of yearly quotas used in fiscal years ending June 30—				
	1928 ¹	1929 ¹	1938	1939	1943 ²
Belgium.....	100	100	22	29	10
Czechoslovakia.....	100	100	99	100	14
Denmark.....	100	100	27	26	11
Finland.....	100	100	88	83	22
France.....	100	100	25	33	12
Germany.....	100	100	71	100	6
Great Britain and Northern Ireland.....	100	100	5	5	3
Greece.....	100	100	100	100	99
Hungary.....	100	100	100	100	21
Ireland.....	100	87	8	8	1
Italy.....	100	100	61	75	4
Netherlands.....	100	100	12	38	7
Norway.....	100	100	24	19	5
Poland.....	100	100	84	100	27
Portugal.....	100	100	78	84	60
Russia (U. S. S. R.).....	100	100	42	95	17
Spain.....	100	100	100	99	100
Sweden.....	100	100	11	11	3
Switzerland.....	100	100	25	46	6
Syria and Lebanon.....	100	100	100	100	38
Turkey.....	100	100	100	100	57
Yugoslavia.....	100	100	100	100	12

¹ The quotas in 1928 and 1929 differed from those of later years; the so-called national origins quotas went into effect on July 1, 1929.

² To conform with the statistics for the earlier years, decimal figures have been dropped from the 1943 percentages

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. JUDD. Mr. Chairman, it has been said by several who, as near as I can find out, have never been in China but have had some contact with Chinese immigrants of the coolie class who were brought to the west coast by ourselves many years ago, that the Chinese do not care about this giving them an immigration quota on a basis of equality with our other allies; that all they want is the removal of the discrimination in the old exclusion acts; that they do not want to be treated as equals with human beings, but only want to be treated on a basis of equality with the other peoples against whom we have discriminated in Asia for so long.

Mr. GEARHART. Will the gentleman yield?

Mr. JUDD. I yield.

Mr. GEARHART. The gentleman speaks about the Chinese that certain Members have spoken of as having had contacts as "coolie laborers who came in a long time ago." The Exclusion Act was devised for the very purpose of excluding coolie labor and in that regard it was successful. They are the very ones who in the nature of things could not have been the ones with whom the previous speakers had their contacts.

Mr. JUDD. But as far as Chinese becoming citizens is concerned, or their coming in under a quota, the law applies to Chinese indiscriminately except for the limited classifications of ministers and professors, and a few others.

Mr. GEARHART. As implied by the question, the Chinese coolies he refers to are the Chinese I have grown up with and gone to school and played with and helped to learn the English language. The coolies at that time were excluded because we did not want the Chinese coolie labor in this country to enter into competition with American labor.

Mr. JUDD. I think that perhaps the original exclusion acts were as good as could be developed at the time. But they are outmoded now by the quota method. We used to give quinine for treatment of pneumonia; it was the best we had. But now we have sulfadiazine and sulfapyridine. We do not insist on continuing to use quinine, just because it once was the best we had. We have far better drugs now and therefore we use them. Even so, we want to use the quota method now as the way to regulate Chinese immigration.

Mr. GEARHART. The gentleman will admit, will he not, that the exclusion acts in their practical operation merely excluded Chinese coolie laborers?

Mr. JUDD. No; the present Immigration Act excludes all persons who are not eligible for citizenship; that is, all persons whose skins are not red, white, or black.

Mr. GEARHART. Under its terms students; ministers, businessmen and persons within some other named classification could be admitted, this in spite of the provisions excluding coolie laborers.

Mr. JUDD. For temporary residence only.

Mr. GEARHART. Of course. The point I wanted to make is that, in effect, only coolie laborers are excluded by the exclusion law. I do not think we are in disagreement.

Mr. JUDD. No Chinese of whatever class or occupation can be admitted for permanent residence on the same basis as persons of the three approved colors.

Mr. Chairman, on the matter of whether this bill means anything more than a sop to the Chinese, I want to read a statement by the great Catholic Bishop of China, Paul Yu-pin, because, as he said, the time has come for plain, candid speaking. This is from the Commonwealth of July 2, 1943, reporting an interview with him shortly after the Committee on Immigration and Naturalization decided last June to take no action on this bill. I have time only for some excerpts:

The recent vote of your congressional Committee on Immigration comes as a deadly blow to all we had hoped for.

And what had they hoped for?

We do not wish to have you open your country to a flood of Chinese immigrants. That is your own problem, for you to solve precisely as you wish. It is an internal problem. But we do object to being branded not only as inferior to you but as inferior to all the other nations and races in the world.

No matter how friendly any of us may personally be toward you, we cannot vouch for the thoughts in our countrymen's hearts. They will think the Atlantic Charter is a sham.

Certainly China will keep in the fight until Japan is defeated. In this defeat you, of course, will play a great part. But if your attitude of superiority continues, if the Far East becomes convinced that the United States has forfeited her moral right to leadership, and is fixed in her determination to look down upon the colored races, I can foresee only a prospect which makes me tremble at its horrors.

In that case the next war would almost inevitably be a war between races, and that would mean a war in which not only armies are pitted against each other, armies and industries, but a war in which child is against child, woman against woman, grandfather against grandfather. In such a war there would not even be talk of mercy and decency. It would literally be to the death, and we would not hear of unconditional surrender, but of annihilation. What Christian can envisage such things without being tempted to despair?

Several gentlemen have spoken of the race problem and suggested that in discussing this legislation we are raising it. But we are not raising it now. We raised it by our own laws beginning 60 years ago, and Japan has been raising it constantly in China. This is rather the way to put it down. You cannot dispose of a cancer by turning your head in the other direction or by covering it up with a poultice.

Recently we have had race riots in our country, and every thoughtful person must be concerned about the possibility of a great race war such as Japan has been trying so desperately to whip up. We could not win a race war, even though we won all the battles. The colored peoples are two-thirds of the world's population, and they can outwork and under-eat and outlast the white man.

Fortunately, this is not a war between races, and will not become one unless we make it so. If it were, China would be fighting with Japan against us, not with us against Japan. This is still a war between those who believe in human freedom and those who believe in human slavery. We must keep it so. There cannot be a great war between the white and colored races in the next 10 years, or the next 100 years, or the next 300 years, if we keep ourselves—the white people—and the Chinese, the largest and strongest of the colored peoples, on the same side—the side of freedom and democracy. What more important business has Congress than this?

I must beg you as earnestly as I can to believe that granting a quota to the Chinese and making them eligible for citizenship does mean very much, indeed, to them. If it will do them or us any good at all, this bill ought to be passed in toto, because certainly it cannot do us any harm.

Therefore I hope the amendment to strike out section 2 will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, briefly, I hope this amendment will be defeated and I hope that all other amendments that are offered that are germane to the bill will be defeated and that we will pass the bill as the committee reported it.

I expressed my views yesterday when I said that this bill should pass, not only because it is for the best interest of our country; to cement a friendship between our country and China that has existed for a hundred years, but it should pass because it enables us to express our sentiments.

Sometimes interest and sentiment go along together in the consideration of a bill, but when sentiment and interest conflict, we must follow the pathway of interest. But this is a bill where we can follow the pathway of interest to our country and express our sentiment and at the same time extend justice by treating the people of this great country, China, and it is going to be greater in the future with the equality to which they are entitled, and with the equality which I am sure we want to give them—to treat the people of China as equals.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Does the gentleman not think that the pending amendment should be defeated?

Mr. McCORMACK. That is just what I stated; I have urged the defeat of the pending amendment and all other amendments and that the bill pass in the form of the bill as reported by the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. BENNETT of Michigan) there were—ayes 21, noes 128.

So the amendment was rejected.

The Clerk read as follows:

SEC. 3. Section 303 of the Nationality Act of 1940, as amended (54 Stat. 1140; 8 U. S. C. 703), is hereby amended by striking out the word "and" before the word "descendants", changing the colon after the word "Hemisphere" to a comma, and adding the following: "and Chinese persons or persons of Chinese descent."

Mr. ALLEN of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Louisiana: Page 4, after line 4, add a new section, to read as follows:

"Sec. 4. That, beginning with the end of hostilities of the present war, no immigrant (as defined in sec. 203, title 8, U. S. C.) shall be admitted into the United States during any calendar year until the number of unemployed persons, including United States war veterans, within the United States, is less than 1,000,000, such number of unemployed persons to be based upon statistics of the Bureau of Labor Statistics, United States Department of Labor."

Mr. SCANLON. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the bill under consideration.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman reserve his point of order?

Mr. SCANLON. Mr. Chairman, I reserve the point of order to permit the gentleman to make a statement.

Mr. ALLEN of Louisiana. Mr. Chairman, in rising in support of my amendment, I first wish to say that I have a very high regard for the Chinese, that they are a great people, that we are their friends, and we want them to be our friends. I wish to add, however, that there is no better way for America to show her friendship for China than is exemplified by the heroic boys fighting on China soil, some of whom are making the supreme sacrifice. A few days ago a fine young man from my home town, a member of General Chennault's forces, was killed in action in China.

Mr. Chairman, I have presented in this amendment the American Legion amendment. The American Legion at its Omaha convention a few days ago passed a resolution nearly identical with the amendment which I have just offered. You have heard my amendment read, and now I read to you the resolution by the American Legion, as follows:

Be it resolved by the American Legion, in convention assembled in Omaha, Nebr., September 21-23, 1943, That all immigration be barred from the United States from the date of the end of hostilities of the present war until unemployment has dropped to less than 1,000,000.

You will note, therefore, that my amendment, in line with the position of the American Legion, undertakes to stop all quota immigration from the end of hostilities of the present war until the number of unemployed persons, including United States war veterans, is less than 1,000,000. You will note that the figure, 1,000,000, was the same as included in the American Legion resolution. I am informed by those in a position to know that this amendment, if carried, would amount to a ban on all immigration. I have made my fight

throughout the years to protect the American worker and the American veteran from the influx of aliens. This is the objective of the American Legion, and it is where I stand.

I wish to remark, also, in passing that the Veterans of Foreign Wars have passed a strong resolution on the question of immigration at its national encampment in New York city a few days ago and I shall obtain leave and make a letter from the V. F. W. a part of my remarks.

Mr. Chairman, the amendment which I have offered is in no way antagonistic to the Chinese nor to any race or nationality. It is simply an amendment in behalf of the American worker and the American soldier. It will fully satisfy China. It will not antagonize the Koreans and other Asiatics. It is the only thing that has been offered that will absolutely be fair to every race and every nationality on the face of the globe. It seems to me that it is the only solution to this question. We know that after this war there will be a mad scramble of people from other nations to come here. They came here following the First World War. In 1918, the number of immigrants was 110,618; in 1919, we had 141,132 immigrants; in 1920, the number jumped up to 430,001; and in 1921, we had 805,228 immigrants coming here. Think of it. Nearly 1,000,000 in 1 year. The thing got so bad that Congress had to take further restrictive measures. Right now we have pending in this Congress a resolution which, if passed, might bring literally millions to our shores. I cannot believe the American people want that done. If my amendment should be passed, then there would be no possibility of these great throngs coming from Europe and elsewhere. I, therefore, submit this amendment, Mr. Chairman, which, frankly, will have the effect of shutting out immigration. By its passage, we can be assured that American jobs after the war will go to American workers, including the millions of American soldiers who will be returning from the battle fronts of the world and who will have a right to expect to receive these American jobs.

VETERANS OF FOREIGN
WARS OF THE UNITED STATES,
Washington, D. C., October 14, 1943.

MY DEAR CONGRESSMAN: At its national encampment which convened in New York City during the period September 28, 29, and 30, 1943, the Veterans of Foreign Wars of the United States went on record as opposing any legislation which would result in a let-down in the immigration or exclusion laws of our country. To this end the following resolution was adopted:

"Whereas pressure is being exerted by certain selfish interests for the lifting of immigration restrictions as a means of obtaining an abundance of cheap labor, giving the excuse that wartime conditions necessitate unrestricted importation of labor; and

"Whereas the Veterans of Foreign Wars of the United States has consistently opposed unrestricted immigration or influx of aliens who are not potentially good American citizens, and has with equal consistency demanded the deportation of aliens who have manifested traits of character or tendencies which make them unworthy of American citizenship: Now, therefore, be it

"Resolved by the Forty-fourth National Encampment of the Veterans of Foreign Wars of the United States, To hereby go on record in opposition to any let-down in United States immigration or exclusion laws, under any guise whatsoever."

In view of the above the Veterans of Foreign Wars respectfully calls upon all Members of the House of Representatives to oppose any pending legislation which will in any way increase immigration quotas or eliminate present immigration restrictions.

Very sincerely yours,
OMAR B. KETCHUM,
National Legislative Representative.

Department of Justice, Immigration and
Naturalization Service, Washington

IMMIGRATION TO THE UNITED STATES FROM 1820
THROUGH 1940, BY YEARS AND DECADES

(No official records were made of the influx of foreign population to this country prior to 1820. Although the number of immigrants arriving in the United States from the close of the Revolutionary War up to 1820 is not accurately known, it is estimated by good authorities as 250,000. For 1820 to 1867 the following figures are for alien passengers arriving; for 1868 to 1903, for immigrants arriving; for 1904 to 1906, for aliens admitted; and beginning with 1907 for immigrant aliens admitted.)

YEAR AND NUMBER	
1820.....	8,385
1821.....	9,127
1822.....	6,911
1823.....	6,354
1824.....	7,912
1825.....	10,199
1826.....	10,837
1827.....	18,875
1828.....	27,382
1829.....	22,520
1830.....	23,322
1831.....	22,633
1832 ¹	60,482
1833.....	58,640
1834.....	65,365
1835.....	45,374
1836.....	76,242
1837.....	79,340
1838.....	38,914
1839.....	68,069
1840.....	84,066
1841.....	80,289
1842.....	104,565
1843 ¹	52,496
1844.....	78,615
1845.....	114,371
1846.....	154,416
1847.....	234,968
1848.....	226,527
1849.....	297,024
1850 ¹	369,980
1851.....	379,466
1852.....	371,603
1853.....	368,645
1854.....	427,833
1855.....	200,877
1856.....	200,436
1857.....	251,306
1858.....	123,126
1859.....	121,282
1860.....	153,640
1861.....	91,918
1862.....	91,985
1863.....	176,282
1864.....	193,418
1865.....	248,120
1866.....	318,568
1867.....	315,722
1868 ¹	138,840

¹ 1832 covers 15 months ended Dec. 31; 1843 covers 9 months ended Sept. 30; 1850 covers 15 months ended Dec. 31; 1868 covers 6 months ended June 30. Other periods cover 12 months, 1820 to 1831, and 1844 to 1849 ended Sept. 30; 1833 to 1842, and 1851 to 1867 ended Dec. 31; and 1869 to 1940 ended June 30.

1869.....	352,768
1870.....	387,203
1871.....	321,350
1872.....	404,806
1873.....	459,803
1874.....	313,339
1875.....	227,498
1876.....	169,986
1877.....	141,857
1878.....	138,469
1879.....	177,826
1880.....	457,257
1881.....	669,431
1882.....	788,932
1883.....	603,322
1884.....	518,592
1885.....	395,346
1886.....	334,203
1887.....	490,109
1888.....	546,889
1889.....	444,427
1890.....	455,302
1891.....	560,319
1892.....	579,663
1893.....	439,730
1894.....	285,631
1895.....	258,536
1896.....	343,267
1897.....	230,832
1898.....	229,299
1899.....	311,715
1900.....	448,572
1901.....	487,918
1902.....	648,743
1903.....	857,046
1904.....	812,870
1905.....	1,026,499
1906.....	1,100,735
1907.....	1,285,349
1908.....	782,870
1909.....	751,786
1910.....	1,041,570
1911.....	878,587
1912.....	838,172
1913.....	1,197,692
1914.....	1,218,480
1915.....	326,700
1916.....	298,826
1917.....	295,403
1918.....	110,618
1919.....	141,132
1920.....	430,001
1921.....	805,228
1922.....	309,556
1923.....	522,919
1924.....	706,896
1925.....	294,314
1926.....	304,489
1927.....	335,175
1928.....	307,255
1929.....	279,678
1930.....	241,700
1931.....	97,139
1932.....	35,576
1933.....	23,068
1934.....	29,470
1935.....	34,956
1936.....	36,329
1937.....	50,244
1938.....	67,895
1939.....	82,998
1940.....	70,756
1941.....	51,776
1942.....	28,781
1943.....	23,725

Total..... 38,290,443

PERIOD AND NUMBER	
1820 to 1830.....	151,824
1831 to 1840.....	599,125
1841 to 1850.....	1,713,251
1851 to 1860.....	2,598,214
1861 to 1870.....	2,314,824
1871 to 1880.....	2,812,191
1881 to 1890.....	5,246,613
1891 to 1900.....	3,687,564
1901 to 1910.....	8,795,386
1911 to 1920.....	5,735,811
1921 to 1930.....	4,107,209
1931 to 1940.....	528,431

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SCANLON] makes a point of order against the amendment on the ground that it is not germane. Does the gentleman from Louisiana wish to be heard on the point of order?

Mr. ALLEN of Louisiana. Mr. Chairman, I concede that the point of order is well taken but I had hoped that the gentleman would let this Congress pass on this question.

The CHAIRMAN. The point of order is conceded. The point of order is sustained.

Mr. BROOKS. Mr. Chairman, I move to strike out the last word.

SAVE FACE

Mr. Chairman, the term "save face" has been bandied around this Chamber a great deal within the last few days. It is an expression which comes from the Orient and refers to a large extent to embarrassment and loss of prestige. There are those who suggest that we so arrange our laws as to permit China to save face and that by rearranging our immigration laws, we may throw out to a war-weary land a gesture of good will and friendship. There are those in this body who seem to feel that this action on our part will give new hope and confidence to the teeming hundreds of millions of Chinese people and will also go far to discharge our obligation to a land ravaged, pillaged, burned, and raped.

I do not share this feeling, Mr. Speaker. I do not believe such a gesture will be even the starting point of the help, aid, and comfort which we should give to the people of China. Instead of telling these people that we will permit them to bring 105 of their nationals each year into this country provided they can run the gamut of the Jap Fleet and dodge the terror of the Jap Air Force which had invaded and completely surrounds this unhappy country, instead of making this idle boast and empty gesture, I would give them substantial aid.

Gen. Claire Chennault, who was the organizer of the Flying Tigers, and who has an intimate acquaintance throughout China, once said, "I know of no place where so much can be done with so little as in China." This is a most significant statement from a great officer and a man truly interested in the liberation of China. It gives us our indication into that type of aid which Gen. Chiang Kai-shek needs and has a right to expect from us.

When Pearl Harbor descended like a black cloud upon us, and in one fleeting moment we were engulfed completely into the vortex of this great war, the Chinese people had already been fighting for over 5 years. They had been, like us, the subject of unwanted and unprovoked attack; they had been invaded, their coastal cities sacked and burned by Jap soldiers, and their rivers channeled by Jap gunboats. Great stretches of fertile countryside, running back hundreds of miles from the coast, had been conquered by a ruthless Jap war machine and subjected to frightful scenes of barbarism unequalled in the annals of history.

At the critical time, when it appeared that China could no longer carry on, we came to her side. We sent our gallant officers and airmen into China to give

them encouragement and to aid in the training of their own soldiers. For a time it looked that we were going to go far toward giving substantial aid, which this afflicted people had a right to expect from us, who came as a new entry into the struggle. In this we have dismally failed.

Although we have been in this war about 2 years, China has seen only a few of our airplanes and almost no other equipment. The original boasts of succor have been almost forgotten by the world in the realization of our present failure to give material aid. If we are really interested in our ally in the far Orient, we should begin to give real help. Our help should not go merely in the form of a repealed statute, which will not kill a single Jap nor recover a single mile of conquered territory from the heel of the enemy. It should be in the form of more airplanes, more guns, ammunition, tanks, and military equipment. It should be in the form of more trained soldiers and skilled pilots who can map out the strategy and build up the organization to drive the foe into the sea. We should bend every effort toward opening the Burma Road, placing the sinews of war into the willing hands of a China that wants to fight to be free.

Just a little of this material aid will go a long way toward reviving the drooping spirits of our Chinese allies. It will offset, as no other action on our part can do, the Japanese propaganda against us. I hope this House by its action will encourage the executive department of Government to give all-time aid of a material nature to China.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 3070 to repeal the Chinese Exclusion Act, to establish quotas, and for other purposes, pursuant to House Resolution 314, reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

CALL OF THE HOUSE

Mr. LESINSKI. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. MCCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 149]

Andrews	Graham	Mott
Bates, Ky.	Hare	O'Connor
Chapman	Hartley	Plumley
Clark	Hendricks	Smith, Maine
Cullen	Izac	Steagall
Dies	Jackson	Taylor
Dirksen	Lewis, Colo.	Troutman
Ditter	McGehee	Wene
Domenegeaux	McLean	Wilson
Douglas	McMurray	Winter
Fogarty	Morrow	
Furlong	Morrison, La.	

The SPEAKER. On this roll call 396 Members have answered to their names, a quorum.

On motion of Mr. MCCORMACK, further proceedings, under the call, were dispensed with.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BENNETT of Michigan. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BENNETT of Michigan. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Moved by Mr. BENNETT of Michigan that the bill be recommitted to the Committee on Immigration and Naturalization with instructions to report it back forthwith with an amendment striking out all of section 2 thereof.

Mr. GOSSETT. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXPENSES OF CONDUCTING INVESTIGATION BY COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 308), and I ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the investigation and study authorized by House Resolution 307, incurred by the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, not to exceed \$10,000, shall be paid out of the contingent fund of the House on vouchers authorized by the committee or subcommittee, signed by the chairman of the committee or subcommittee, and approved by the Committee on Accounts.

The resolution was agreed to.

EMPLOYMENT OF EXAMINERS AND OTHER PERSONNEL BY COMMITTEE ON APPROPRIATIONS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that House Resolution 325 be, rereferred to the Committee on Accounts from the Committee on Rules. I have taken this matter up with the chairman of the Committee on Rules and he is agreeable.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

KITTY HAWK DAY IN NORTH CAROLINA

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

There was no objection.

Mr. BONNER. Mr. Speaker, December 17 will mark the fortieth anniversary of the first heavier-than-air ship to ever fly, which event occurred on the coast of North Carolina at Kill Devils Hill, Dare County, N. C.

Each year, Mr. Speaker, there is held a commemoration of this event. So outstanding have been these affairs, particularly this year since aviation has played such a great part in our national defense, and its birth having occurred in North Carolina, that the Governor of North Carolina has set aside December 17 as Kitty Hawk Day and has issued a proclamation that the State so observe the day and has appointed a commission to see that proper exercises commemorating the event are carried out.

Mr. Speaker, I ask unanimous consent to include a copy of the proclamation of the Governor of North Carolina and the names of the committee he has appointed to carry out the celebration.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

There was no objection.

The matter referred to follows:

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, October 8, 1943.

HON. HERBERT C. BONNER,
United States House of Representatives,
Washington, D. C.

MY DEAR HERBERT: Throughout the Nation, particularly in aviation circles, there has been manifested much interest in the suitable observance of the fortieth anniversary of the first airplane flight by the Wright brothers at Kitty Hawk. This event occurs on December 17, 1943. You may recall that some time ago I wrote you about this event.

In deference to this sentiment and by reason of the great significance of the anniversary this year, I have issued a proclamation declaring December 17, 1943, as Kitty Hawk Day, copy of the proclamation being herewith enclosed. Also I have named a State-wide committee to plan for this event and have taken the liberty of naming you as chairman of the committee. I sincerely hope that you can serve.

I would suggest a meeting of the committee at some reasonably early date in the Governor's office at Raleigh, the date to be suitable to your convenience. If you will write to me suggesting some suitable dates, I will be glad to have the call for the meeting issued from my office on your behalf.

I enclose herewith copy of press release which gives the names and addresses of the committee as appointed by me.

Cordially yours,

J. M. BROUGHTON.

[Enclosures.]

In connection with the proclamation setting aside December 17, 1943, the fortieth anniversary of the first airplane flight in history, as Kitty Hawk Day, Governor Broughton today announced the appointment of a committee to plan for the appropriate observance of this event, such anniversary ceremony to be held at Kitty Hawk at noon on the anniversary date. The committee as appointed by the Governor is as follows:

Herbert C. Bonner, Washington, chairman; Josephus Daniels, Raleigh; Judge Richard D.

Dixon, Edenton; H. W. Kendall, Greensboro; James B. Ficklen, Greenville; Stratton Poyner, Winston-Salem; R. Bruce Etheridge, Manteo; Herbert Peele, Elizabeth City; Miles Clark, Elizabeth City; Dr. William Parker, Elizabeth City; Dick Brown, Charlotte; Bill Sharpe, Burlington; Josh L. Horne, Jr., Rocky Mount; Robert L. Thompson, High Point; Miss Gertrude Carraway, New Bern.

The Governor also announced that he would ask the recently appointed aeronautics commission of the State to cooperate with the Kitty Hawk committee in planning this event. The aeronautics commission is composed of the following:

Roy Rowe, Burgaw; E. C. Brooks, Jr., Durham; Lee H. Smith, Burlington; Ben E. Douglas, Charlotte; William C. Olson, Raleigh.

The Governor stated that a special committee of citizens of Manteo would be later named to look after local arrangements for this event.

A PROCLAMATION BY THE GOVERNOR

Forty years ago, amidst the sand dunes at Kitty Hawk, N. C., two brothers, then obscure but since made famous, began experiments for the purpose of testing and confirming their conviction that machines heavier than air could be made to fly. In this seemingly fantastic endeavor, which was met with scepticism and even ridicule, they devoted many long hours and days of effort, experiment, and frustration. Ultimately their efforts were crowned with success, and on December 17, 1903, the world was electrified at the announcement that for the first time in history a heavier-than-air machine had on that day been successfully flown at Kitty Hawk. Thus the airplane was born. Its creators were the immortal Wright brothers, Wilbur and Orville; and its place of birth was Kitty Hawk, N. C.

The fortieth anniversary of this epochal event, December 17, 1943, will come in the midst of the greatest war in history—a war in which the airplane will be the decisive implement of victory for democracy, decency, and righteousness in the epochal struggle against aggression, brutality, and slavery.

Before this global war and its tragic consequences had thrown a shadow over the face of the earth the airplane was already revolutionizing the transportation and communications of the world. This swift messenger of peace and friendliness as between nations, this harbinger of a new world of trade and good will, had already served to bring the world closer together. In the miracle of this winged swiftness the farthest nations of the earth had been brought closer together in understanding and in commercial relationship. After the carnage of war is over and when victory is crowned, the airplane, immeasurably stimulated in its production and perfection, will prove the indispensable agency for rebuilding a disordered and mutilated world.

Under these circumstances, it is altogether fitting that the anniversary date of this world-changing event should be appropriately observed at the place of its occurrence.

Now, therefore, I, J. Melville Broughton, Governor of the State of North Carolina, do hereby designate Friday, December 17, 1943, as Kitty Hawk Day, and do hereby call upon all citizens of North Carolina, and insofar as I may be privileged to do so all citizens of an America grateful for the achievement of the Wright brothers, to give suitable observance to this deeply significant event, and further do call upon all who are vitally connected with the airplane industry in America and upon representatives of the Army and Navy and governmental agencies to designate and delegate official representatives to attend a suitable observance of this event which will be held at Kitty Hawk, N. C., on December 17, 1943, when and where appropriate tribute can be paid to the memory of Wilbur Wright, now deceased, and to

Orville Wright, the surviving member of this world-famous partnership endeavor.

In witness whereof, I have hereunto set my hand and cause the Great Seal of the State of North Carolina to be affixed at Raleigh, the capital, this the 6th day of October A. D. 1943.

[SEAL] J. MELVILLE BROUGHTON,
Governor.

Attest:

ALLSTON STUBBS,
Private Secretary.

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, October 18, 1943.

Mr. ORVILLE WRIGHT,
Dayton, Ohio.

MY DEAR MR. WRIGHT: As you may have noted already, we have planned here in North Carolina to make suitable observance of the anniversary of the first flight. Since this the fortieth anniversary occurs in the midst of a war in which aviation will be the determining factor, it has occurred to us that the observance should be attended by more than the usual planning and preparation. By proclamation, copy of which is enclosed, I have officially designated December 17, 1943, as Kitty Hawk Day.

I have named a committee to plan a suitable event at Kitty Hawk and have appointed as chairman of the committee Hon. HERBERT C. BONNER, North Carolina Representative in Congress from our First Congressional District.

We are extending invitations to many leading figures in the field of aviation. First of all, however, we are exceedingly anxious to have you present for this significant event.

On behalf of the committee and of the State of North Carolina, I am writing to extend you an invitation to attend the ceremonies which will be held at Kitty Hawk at noon on December 17, and to make such remarks as you may deem appropriate for this occasion.

With greatest respect, I am

Sincerely yours,

J. M. BROUGHTON,
Governor of North Carolina.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the House Committee on Military Affairs may have until midnight tonight to file a report on the bill S. 763.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks in the RECORD on the Chinese exclusion bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein resolutions adopted by the Veterans of Foreign Wars and the American Legion, also certain statistics with reference to immigration.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend in the RECORD my comments pertaining to the ac-

tivities of the Navy Department, and to include therein some statistical studies.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. **MCCORMACK**. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. **MARTIN** of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to ask the gentleman from Massachusetts [Mr. **MCCORMACK**] if he can tell us the program for next week.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **MCCORMACK**. Nothing is scheduled for Monday.

On Tuesday the fathers' draft bill, on which the gentleman from Kentucky [Mr. **MAY**] has just obtained permission to have until midnight tonight to file a report, will come up, in the event that a rule is reported on the bill, as I hope it will be. I believe we should dispose of this bill as quickly as possible.

After that, nothing is scheduled for the remainder of next week, with the exception, of course, of any matter that may be taken up by unanimous consent. However, the only bill scheduled for next week is that bill from the Committee on Military Affairs on Tuesday. If the rule is not reported out in time for the bill to be considered on Tuesday, as I hope it will be, it will come up on Wednesday, if it is reported out for consideration then, but I would prefer Tuesday.

Mr. **PACE**. Mr. Speaker, will the gentleman yield?

Mr. **MARTIN** of Massachusetts. I yield to the gentleman from Georgia.

Mr. **PACE**. May I ask what the plan is in regard to calling up the legislation, in which many of us are interested, to extend the life of the Commodity Credit Corporation?

Mr. **MCCORMACK**. No rule has yet been reported out on that bill. Has the committee report on the bill been filed yet?

Mr. **PACE**. I do not know.

Mr. **MCCORMACK**. I have no knowledge of the report's having been filed yet. I cannot see how it can be brought up until after election day. There are elections November 2 in two or three States and several communities. Some Members are interested in these elections. It is only proper and fitting that we should have regard for the fact that they are interested in them. These Members should have the opportunity of expressing their opinions on the coming elections in their States and in their communities.

Mr. **MARTIN** of Massachusetts. The gentleman says there are several States

that will have important elections on November 2. Two of my objectors on the Consent Calendar happen to live in those States, one in New York and one in New Jersey. They are wondering if the call of the Consent Calendar scheduled for November 1 could be deferred for a few days.

Mr. **MCCORMACK**. I intended to ask unanimous consent for that next week, but I think this is an appropriate time to do it.

Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar a week from next Monday be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **MAY**. Mr. Speaker, will the gentleman yield?

Mr. **MARTIN** of Massachusetts. I yield to the gentleman from Kentucky.

Mr. **MAY**. May I make this statement for the benefit of the Members of the House and for the information of the floor leader as well? The House Committee on Military Affairs will be in session in about 5 minutes for the purpose of further considering a bill relating to the termination of war contracts. This has developed into one of the most important propositions ever to come before our committee. I do not suppose we would be able to get that bill to the floor of the House in time next week, but if we do not we will certainly have it here by the week following.

Mr. **MCCORMACK**. I shall give it as early consideration after it is reported as I can.

EXTENSION OF REMARKS

Mr. **CELLER**. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD**.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **BRADLEY** of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD** and include therein a letter from the vice president of the John B. Stetson Co., an industry of my district, together with my reply thereto.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. **GREEN**. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

EXTENSION OF REMARKS

Mr. **MURRAY** of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD** and include therein a eulogy by the late Dr. Glenn Frank, former president of the University of Wisconsin, of Dr.

Stephen Moulton Babcock, the one-hundredth anniversary of whose birth is tomorrow.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **CHENOWETH**. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD** and include therein an editorial from the Colorado Springs Gazette.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. **HILL**. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD** and include therein an editorial from the Greeley Daily Tribune, of Greeley, Colo., of October 18, 1943.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. **GAVIN**. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Oil City Derrick.

The **SPEAKER**. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. **ELLSWORTH**. Mr. Speaker, I ask unanimous consent that following the legislative business and after special orders heretofore made on that day I be permitted to proceed for 30 minutes on Wednesday next.

The **SPEAKER**. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. **COMPTON**. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** on the milk question.

The **SPEAKER**. Is there objection?

There was no objection.

Mr. **MUNDT**. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** and include a newspaper article.

The **SPEAKER**. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. **KEEFE**. Mr. Speaker, I ask unanimous consent that on Monday next, after the legislative business and any other special orders, I be permitted to address the House for 30 minutes.

The **SPEAKER**. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. **HAGEN**. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** concerning the problem of butter and include an article by one of the citizens of my district.

The **SPEAKER**. Is there objection?

There was no objection.

Mr. **SAUTHOFF**. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** and include a clipping from the Washington Post.

The **SPEAKER**. Is there objection?

There was no objection.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an interesting article on the seventh annual observance of Pulaski Day which took place in New York City.

The SPEAKER. Is there objection? There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the Committee today and include certain quotations from magazines.

The SPEAKER. Is there objection? There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article recently published in the Jersey Journal by Helen L. Manning on juvenile delinquency.

The SPEAKER. Is there objection? There was no objection.

The SPEAKER pro tempore (Mr. MONROE). Under previous order of the House, the gentleman from Connecticut [Mr. MILLER] is recognized for 30 minutes.

REGULATION OF THE INSURANCE BUSINESS

Mr. MILLER of Connecticut. Mr. Speaker, on September 20, shortly after the reconvening of the present session of Congress, the gentleman from New York, Congressman HANCOCK, and the gentleman from Pennsylvania [Mr. WALTER] introduced similar bills, H. R. 3269 and H. R. 3270, to affirm the intent of the Congress that the regulation of the business of insurance remain within the control of the several States and that the acts of July 2, 1890, and October 15, 1914, as amended, be not applicable to that business.

This legislation is of great importance, not only to every insurance company in the United States but to every holder of an insurance policy. I am sure that most of my colleagues know that I have the honor to represent the First Congressional District of Connecticut. Within that district is the city of Hartford—the capital city of Connecticut. Hartford is often referred to as the “Insurance center of the world.” In Hartford are located the home offices of many of the larger fire- and life-insurance companies. For that reason I am particularly interested in this proposed legislation.

In addition to representing thousands of men and women who are engaged in the insurance business, I might also add that for several years I have been engaged in the general business of insurance, although I have never been directly employed by any insurance company. I have always been proud of my association with the insurance business. I know many of the men who direct our insurance companies and I do not believe that a finer group of loyal, patriotic, law-abiding citizens could be found in any business anywhere in the world.

The fire-insurance business in the United States has grown tremendously in the last 90 years. Those who founded our first fire-insurance companies learned a lot as they went along with the

business. The first fire-insurance companies were rather loosely organized—they had no record of past experience. In the early days, a few men got together, pooled their resources and formed a fire-insurance company. If, at the end of the year, the premium income was substantially larger than the amount paid out in losses, they declared themselves a dividend and hoped that next year would prove just as successful. But, as time went on and they gained experience, they evolved a sound method of setting up reserves. They found sound methods of determining adequate premiums. From such small beginning has grown some of the largest and soundest institutions in the world.

I am not at all surprised that there are some who want to bring all insurance under control of the Federal Government. What a vast bureau would be required to regulate the business of insurance companies of all kinds. The Social Security set-up would be a small department in comparison to the administrative staff necessary for this anticipated bureau. The argument has already been advanced that insurance companies have grown to such size that it is beyond the ability of the several States to control it. Probably no business has been subject to the same degree of State regulation as fire insurance. Every phase of fire insurance has been exhaustively studied, carefully experimented with and eventually subjected to detail regulation.

The regulation had its inception over 90 years ago when New Hampshire established a board of insurance commissioners, followed by Massachusetts the next year, and by Rhode Island 3 years later. By 1890, when the Sherman Act became law, 18 States had established independent insurance departments. At the present time and for many years past, every State has had an insurance department.

A few months ago the Department of Justice obtained an indictment in the northern district of Georgia against 198 insurance corporations and 27 individuals, charging them with a conspiracy to fix noncompetitive rates on fire insurance in violation of the antitrust laws. The defendants filed a demurrer which was sustained by District Judge Underwood on August 5, 1943. An appeal from this decision to the Supreme Court has been taken by the Government, and is now pending. The passage of the bills to which I have referred has no effect on the indictment already obtained. The Department of Justice can try these cases either before or after this proposed legislation has been enacted into law.

Last Tuesday, the gentleman from California [Mr. VOORHIS] inserted in the RECORD as part of his remarks, an editorial from the Raleigh (N. C.) News and Observer in which it is claimed that insurance companies in 5 States charged \$52,000,000 to policyholders and only returned eighteen million in losses. If the author of that editorial would only take the trouble to look up the facts, he would find that fire-insurance companies in the States he mentioned actually retained about 3½ percent of the premium income and not 40 percent.

It has been said that life-insurance companies are not interested in this matter. That statement is far from the truth, as I know of my own knowledge. True, life-insurance companies do not operate rating bureaus—they don't need them—but the life-insurance companies know that if the States are denied the right to continue the control of fire-insurance companies, they are next on the list.

The scurrilous story now being circulated about a \$700,000 slush fund to bring about enactment of this legislation does not impress me. I don't believe a word of that story. If those who circulate it have one iota of proof, why don't they turn it over to the Department of Justice?

This matter should be of interest to every Member of Congress. The speedy passage of the proposed legislation may well be the turning point in the threat towards centralizing all power in Washington. If the bright young men in the Justice Department wanted to bring insurance under control of the Federal Government and consider it commerce under the Sherman Act, why did they not come to Congress for legislation? I wish every Member of this House would read the argument presented by the lawyers in the Justice Department during hearings before Judge Underwood in Atlanta, Ga. These Government lawyers argued in the brief that fire insurance is commerce and thus commerce subject to the Sherman Act, but cited no judicial authority so holding. Instead, they attacked the Supreme Court for holding uniformly over the past 75 years that fire insurance is not commerce. They pictured the Supreme Court as having handed down dictum based upon a misconception, having failed to comprehend; having followed the path of least resistance. In short, the Government asked the court to decide that fire insurance is commerce and thus to sustain the indictment on the theory that the Supreme Court has wrongly decided the other way. So say the bright young men about the opinions of some of the finest Justices who ever sat on our Supreme Court. That crowd has no more respect for the decisions of those learned Justices than they have for an act of Congress.

If, by some strange freak of fate the Supreme Court should sustain the contention of the Department of Justice, conditions in the insurance companies would certainly be chaotic. Strong companies would be ruined before Congress could act. There is no emergency now. We can study this matter calmly and unhurriedly, and thus save a great business from ruin. We would have a situation where certain States would require fire-insurance companies to establish rating bureaus while, under the contention of the Federal Government, those who participated in the creation of such rating bureaus would be violating Federal law. State regulation is based upon principles so diametrically opposed to the Sherman Act that it is inconceivable that State regulation and the Sherman Act could both be applicable at the present time.

Mr. ROWE. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.
Mr. ROWE. Is it not true that if the insurance companies were put on a competitive basis, the diminution of business would affect the weaker companies and they would go out of business, and subject the risks under their jurisdiction to a loss?

Mr. MILLER of Connecticut. Very definitely so. I hope to come to that question very shortly.

For the States, on the one hand, it is encouraging the restriction of competition of fire insurance through State regulation, while on the other hand the Federal Government would be demanding restricted competition in fire insurance through the Sherman Act. The State regulation on such theory would be an unconstitutional nullification of Federal statute.

Over a period of 75 years the Supreme Court has repeatedly held that neither fire insurance nor the business of fire insurance is commerce. In 1868 the Supreme Court held this squarely in the leading case of *Paul v. Virginia* (75 U. S. 168), as follows:

Issuing a policy of insurance is not a transaction of commerce. The policies are simple contracts of indemnity against loss by fire, entered into between the corporations and the assured, for a consideration paid by the latter. These contracts are not articles of commerce in any proper meaning of the word. They are not subjects of trade and barter offered in the market as something having an existence and value independent of the parties to them. They are not commodities to be shipped or forwarded from one State to another, and then put up for sale. They are like other personal contracts between parties which are completed by their signature and the transfer of the consideration. Such contracts are not interstate transactions, though the parties may be domiciled in different States. They are, then, local transactions, and are governed by the local law. They do not constitute a part of the commerce between States.

The decision of *Paul* against Virginia has been repeatedly and consistently followed by the Supreme Court and has never been questioned. In 1895, the Supreme Court reaffirmed its view of insurance in *Hooper v. California* (155 U. S. 648) stating:

The business of insurance is not commerce. The contract of insurance is not an instrumentality of commerce.

In 1900 the Supreme Court again so ruled in *New York Life Insurance Co. v. Cravens* (178 U. S. 389):

That the business of fire insurance is not interstate commerce is decided in *Paul v. Virginia*; *Liverpool Insurance Co. v. Massachusetts*; *Philadelphia Fire Association v. New York*. That the business of marine insurance is not, is decided in *Hooper v. California*. In the latter case, it is said that the contention that it is "involves an erroneous conception of what constitutes interstate commerce."

Strenuous efforts were made in *New York Life Insurance Co. v. Deer Lodge County* (231 U. S. 495), to secure a reversal of *Paul* against Virginia. Dean Pound, of the Harvard Law School, on behalf of the insurance companies, presented every conceivable argument for

reversal. Nevertheless, the Supreme Court refused to adopt any of these arguments for overruling its holding that insurance is not commerce and, in reaffirming *Paul* against Virginia, and succeeding cases, stated:

If we consider these cases numerically, the deliberation of their reasoning, and the time they cover, they constitute a formidable body of authority and strongly invoke the sanction of the rule of stare decisis. This we especially emphasize, for all of the cases concerned, as the case at bar does, the validity of State legislation, and under varying circumstances the same principle was applied in all of them. For over 45 years they have been the legal justification for such legislation. To reverse the cases, therefore, would require us to promulgate a new rule of constitutional inhibition upon the States and which would compel a change of their policy and a readjustment of their laws. Such result necessarily urges against a change of decision.

I could cite case after case in which the Supreme Court reiterated the reasoning expressed in the decisions that I have just read. In addition to decisions of the Supreme Court, Congress has stated, and repeatedly acted on the assumption that insurance is not commerce within the meaning of the Sherman Act. Indeed, in 1920, on the one occasion that Congress was induced to pass on the question of whether a phase of insurance was subject to the antitrust laws, Congress declared that it was not. Congressional recognition that insurance is not commerce is further found in the long history of attempt to obtain congressional regulation of insurance. Congress has consistently refused to regulate insurance and has expressed the belief that it lacks the constitutional power so to legislate.

In 1905 President Theodore Roosevelt in his message to Congress dealt with the question of regulating interstate insurance transactions. Consideration of this portion of his message was referred to the Committee on the Judiciary of the House. The report of the Judiciary Committee stated:

The question as to the power of Congress to regulate and control insurance corporations created by the States has been squarely and fully presented to the Supreme Court of the United States, and the Court has many times held that insurance is not commerce, and that Congress has no power to regulate insurance corporations or their business. The views of the Supreme Court have practically met the approval of the bar and businessmen of the United States as being in accordance with law and common sense.

If there was any doubt upon the subject, it has been dispelled by the argument made for Federal control. All at once it is voiced throughout the Nation that a way out of the difficulty has been discovered, and the happy thought is suggested that Congress can declare insurance to be commerce, and that on account of the great interests involved the Supreme Court will reverse itself and the law of the Nation and hold the legislation constitutional. The suggestion is not very complimentary to the Supreme Court that, on account of great interests involved, that tribunal would reverse its decisions for a century, absolutely wipe out and destroy the police powers of the States that have so many times been upheld by that Court.

As a sidelight upon consideration in Congress of regulatory statutes relating

to insurance, it is to be noted that the 1940 platforms of both the Democratic and Republican Parties contained planks upholding State—as distinguished from Federal—regulation of insurance. The Democratic platform contained the provision—

We favor strict supervision of all forms of the insurance business by the several States for the protection of policyholders and the public—

While the Republican platform contained the provision—

We condemn the New Deal attempts to destroy the confidence of our people in private insurance institutions. We favor a continuance of regulation of insurance by the several States.

The most widely accepted solution to the rate problem was found in statutes which require or permit fire-insurance companies to be members of rating bureaus and to adhere to rates promulgated by those bureaus. These rating bureaus are organizations set up and maintained by fire-insurance companies to establish for their members uniform fire-insurance rates on all properties within their jurisdiction. A rating bureau has a staff of trained experts to study hazards of risks and loss experiences of its members; establish schedules for classes of risks; and apply those schedules to individual risks to arrive at a rate for each individual risk.

In the States which specifically provide by statute that insurance companies may or must be members of rating bureaus, the usual requirement is that the bureau rates must be filed with the State insurance commission. It is further provided that the members must maintain the bureau rates unless they file advance notice of a deviation or variation from a bureau rate with the bureau and the commission. This new rate must be uniform, and applicable to all risks of essentially the same hazard in the class for which the variation is made. In some States it does not become effective until approved by the State commission, and in some the deviation must be made effective for not less than a year.

If a rating bureau were not maintained by groups of fire-insurance companies, who would pay for the services rendered by these bureaus? Certainly no one company could operate them without increasing premiums tremendously. The theory of rating bureaus and of cooperative action and accord by the fire-insurance companies in arriving at procedure for rating or actual ratings stem from the fundamental theory of insurance itself. Insurance is cooperative. It is a device by which men share the burden of loss by fire. The guiding principle is that each person who is insured shall contribute to the burden for the payment of losses and expenses, automatically, in accordance with the hazard on the risk. No one company is large enough to determine from a single experience rating, with a degree of accuracy which can be secured by a combination and agreement between the companies who pool their experience and agree upon rating procedure.

Aside from this, even if one company could do a scientific job, the experience would be prohibitive or would result in rates that would burden the public. Therefore the States have not only encouraged it, but, in many instances, required coordinated action between companies in the most scientific rating procedure possible. Of course, none is perfect. Such a procedure is necessary for companies because not only by statutes but from business prudence, no company will carry all of a large risk.

For example, in a plant where the policy is several million dollars, while it may be written in one company, that company will, generally speaking, carry only a small part of the risk. It is automatically reinsured by that company in many companies. Obviously, in order to protect the business and the original writing company, this reinsurance must be automatic. Obviously also the company will not undertake to write automatic reinsurance unless they know in advance that the rate charged for the particular risk to be written is a proper one and that the details of the policy are standard details. In short, all the companies involved as reinsurers must particularly know the details and provisions of the policy and rates in advance.

If this were not true, there could be no insurance of very large risks. The rating procedure outlined is advantageous to the policyholder because he gets the resources of many companies for the payment of a possible loss. This procedure has been material in the reduction of rates over the last 30 years, Nation-wide, of over 40 percent. Not only may the individual policyholder secure rate reduction but a city or municipality may also by adopting standards of fire prevention such as water system, alarm system, and the like, secure a reduction for the entire community.

Mr. ROWE. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. ROWE. Is it not a fact that at times the rate on insurance of all nature is reduced during the term of insurance as a result of these rating bureaus?

Mr. MILLER of Connecticut. Very definitely so. Not only the premium rate for a specific policy but the rate for the whole community can be reduced if the community makes certain changes suggested by underwriters employed by bureaus created by the fire-insurance companies. For instance, a small town may put in an alarm system, or install hydrants which will bring about a reduction to every policyholder in the community.

Mr. ROWE. A restudy of the rates by the rating bureau is with the objective in mind of reducing the cost of the cooperative plan of sustaining that loss?

Mr. MILLER of Connecticut. Definitely so.

Mr. COMPTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. COMPTON. Is it not true that if this bill were to pass, confusion would reign throughout the country in the fire-insurance business? And is it not true that probably these people who offer this

suggestion have not thought through to a conclusion what confusion might obtain?

Mr. MILLER of Connecticut. I am sure they have not. I referred to the fact that last Tuesday our colleague the gentleman from California [Mr. VOORHIS] spoke on this subject. Any man with even limited experience in the insurance business could answer every contention made. There was no argument presented in Atlanta by Government lawyers except that the Supreme Court for the last 75 years did not know what they were talking about; that they were old fogies and they did not understand it. They did not comprehend; but that these bright young fellows knew all about it.

Mr. COMPTON. Is it not true that this thing was offered so that in this confusing time of war another one of these enormous New Deal agencies could be set up to further destroy State rights—what few State rights we have left?

Mr. MILLER of Connecticut. Some fear so, but I am more concerned about the gentleman's original contention that if, by some strange freak of fate, the Supreme Court should sustain the Department of Justice there would be chaos and confusion worse confounded. The insurance companies would be compelled to set up rating bureaus under the laws of the States of Massachusetts, Connecticut and Rhode Island, for example, and if they did so, under the opinion of the present Department of Justice, they would be violating the anti-trust laws.

Mr. COMPTON. But the point I made is that in their zeal to set up another agency in Washington to look after all of the States of the Nation they have overlooked this terrific confusion.

Mr. MILLER of Connecticut. I think they have overlooked it, all right.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. HANCOCK. On the question of rates, I understand that during the last 30 years the average rates of the fire-insurance companies have been reduced 40 percent.

Mr. MILLER of Connecticut. That is correct information.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the majority leader.

Mr. McCORMACK. My mind is open on this question, although some very fine friends of mine, whose opinions I respect deeply, and whose opinions will receive very profound consideration from me, favor the bill.

I want to congratulate the gentleman from Connecticut for the very fine presentation he has made containing valuable information that will be of interest to every Member.

My purpose in asking the gentleman to yield is to make the observation and to express the hope that we should continue to support all bills on their merits rather than talking about New Deal objectives or purposes. Let us decide these questions on a broad, high plane and determine them on their merits.

Mr. MILLER of Connecticut. I am sure the majority leader the gentleman from Massachusetts [Mr. McCORMACK], will agree with me that no matter how it is decided, it is of great importance to our people and to the business interests of this country to find a correct answer to it.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the gentleman from Texas.

Mr. RUSSELL. The gentleman from Connecticut says that the bill was introduced for one purpose only, that purpose is to immune insurance companies from prosecution under the antitrust laws of the Federal Government. Is that true?

Mr. MILLER of Connecticut. That is not what I said. This legislation does not give them any immunity that they have not had for the last hundred years.

Mr. RUSSELL. Then why do we need all of these bills if they have had that immunity for the last hundred years? Why do we want to put through these bills?

Mr. MILLER of Connecticut. The gentleman from Texas may not have been here for all of the last half hour. There is only one bill. The same proposal has been made by four different Members of the House and Senate.

Mr. RUSSELL. Yes; I have been here listening to everything the gentleman has said.

Mr. MILLER of Connecticut. I tried to make myself clear that while I felt that no court could sustain the position taken by the Department of Justice, nevertheless we do not know what some court may decide, and that is why I want to make a study of this whole thing and come to a proper conclusion before anything like that happens.

Why should any agency of the Government try to write a law, when the Congress itself has refused to say on many occasions that insurance is commerce under the Sherman Act, and the Supreme Court of the United States has said, 27 times, over a period of 75 years, that insurance is not commerce under the Sherman-Clayton Act, and as recently as August 5, Judge Underwood in his decision said that if this dictum was going to be upset it would have to be by some other court than his.

Mr. RUSSELL. Then the reason for introducing these bills is due to the fact that insurance companies are afraid that the Supreme Court might render an opinion adverse to them in the case that is now pending?

Mr. MILLER of Connecticut. There is always a possibility that a court may rule that way, but the insurance companies certainly have an obligation to protect their policyholders and that is why I believe it is necessary to study this matter now. The only thing the insurance companies are afraid of is that the laws written by Congress will be ignored.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the gentleman who is an author of the proposal under discussion, my colleague, Mr. HANCOCK.

Mr. HANCOCK. It has been the settled law in this country for 90 years that the control over fire insurance and all other forms of insurance belongs to the State. Now through this criminal suit the Department of Justice is attempting to change that law and to change a policy followed by the courts since insurance was first discovered as an institution, and we feel that if that policy, if that law, is to be changed, it is the business of the Congress to do it, and not the Department of Justice.

Mr. MILLER of Connecticut. Certainly.

Mr. ROWE. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Connecticut. I yield to the gentleman from Ohio.

Mr. ROWE. Another important fact is, I think, it would be a misconception of the purpose of the bills to say they seek to establish immunities which the insurance companies do not now have; but to retain the rights they presently have.

Mr. MILLER of Connecticut. That is my contention; to retain those rights.

Let no one shed crocodile tears for the little policyholder in this discussion. If the present successful system of operating under State control is destroyed, it will be the little fellow who will suffer, not the big fellow.

There cannot be any monopoly in the fire-insurance business as now operated in the United States. Anyone can start a new company at any time. Just think of the chaos that would result if every company issued a different policy form with hundreds of variations. Some may say, Why not wait and see what the Supreme Court will do? Unfortunately, for the sake of its policyholders, the insurance companies cannot take the chance.

As my time draws to a close, may I emphasize that the passage of H. R. 3269, or any of its companion bills, will not give to any fire-insurance company any privilege it has not possessed since its inception. This proposed legislation does not restrict the operation of the antitrust law.

THE A. A. A. AND COTTON LOANS

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RICHARDS. Mr. Speaker, I should like to direct the attention of Congress to something which has been done for the cotton farmer by the Congress but from which he is not receiving the full benefits intended on account of dereliction of duty on the part of the A. A. A., certainly insofar as my district in South Carolina is concerned.

Through appropriations and legislation, directly and indirectly, Congress has developed a plan which permits a farmer who does not want to sell his cotton to put that cotton in loan to the Government and receive 90 percent of the parity price. And the Commodity Credit Corporation, which directs the program, has arranged elaborate regula-

tions for approval of warehouse facilities for the cotton to see that it is safe and does not deteriorate.

Now, it develops that in South Carolina few approved warehouses are available. Many warehouses are not interested in cotton storage because of the rates. The Office of Price Administration has approved a 20-percent increase in rates in two Western States, and I believe has increased rates in another area by 12 percent. But no increase has been allowed in the ceiling in South Carolina.

But an increase in storage rates is not my primary interest. A reasonable return to warehousemen is, of course, desirable; but any increase at all would be borne by the cotton producers. The real fault lies in the failure to inform farmers of the private storage plan.

The Agricultural Adjustment Administration, through State and county offices, administers the storage program in the field and sets up a county committee elected by farmers, with the county agent acting in an ex officio capacity. Despite the fact that educational work is part of the A. A. A. program, somewhere down the line from the A. A. A. in Washington or from the State office to the farmer the information about the storage of loan cotton got lost. And farmers tell me they do not know where to turn. Not 1 in 50 have ever been informed that there is a private storage plan or how it works. I can come to no other conclusion but that the A. A. A. has deliberately failed to inform the county committees and the cotton farmers about the storage program in order to reduce the amount of cotton placed in Government loan. It is too late now to appreciably remedy the situation in regard to the 1943 crop as most of the crop has been forced on the market, but this neglect on the part of the A. A. A. should not be allowed to happen again.

Many farmers have no approved warehouses in their own community, and rather than pay hauling charges elsewhere they simply sell at what price they can get. As a direct result of this practice farmers in my congressional district have lost thousands of dollars this year.

In this connection, here is a statement from a well-informed farmer in Chesterfield County, S. C., in my district:

It cost a good bit more money to make this crop than it cost to make the 1942 crop, and we are not going to get as much per pound for cotton this year as we got last year. . . . The farmers have been selling cotton here for about \$10 per bale less than the Government loan because we have no warehouse near to put the cotton in.

Finally he says:

I believe if you men up there will think the matter over you will see that the farmer is not being treated right.

Mr. Speaker, to me the last part of that sentence is a masterpiece of understatement.

Mr. Speaker, I should like to speak briefly about one war industry which holds no cost-plus contracts, in which the workers are not drawing high wages, in which the workweek is limited only by the strength of the worker, which

awards no banners for excellence, and without which the war would be lost in a matter of days. That industry is the farm.

Consumers in cities do not, I am convinced, have any conception of what farming is like, nor how the farmer is at the mercy of the elements and his fellow men. They do not know what a small share the farmer gets of the cost to them of processed goods and even of raw farm products. They simply have no idea of the pitiful figure the cotton farmer gets from the sale of a cotton shirt, for instance.

We who represent farm States lost our fight here to fix farm parity prices at what we considered a fair level. No one would expect a manufacturing plant to speed up to record production, paying wartime labor and costs, and sell its products at peacetime levels. Yet that is what the farmer is asked to do. Labor and other costs have gone up for the farmer just as they have for every other business, and the armed services and defense plants have taken sorely needed labor from the fields. The farmer's living costs have gone up 34 percent while the living costs of urban residents has climbed only 22. Yet many of these factors have been given no consideration in fixing the price which the farmer may receive for his products. By all that is fair, parity on short cotton should be about 26 cents a pound instead of 5 or 6 cents lower. Parity on long cotton should be increased in proportion.

If we are to feed and clothe ourselves and the world there must be a new understanding of the farmers' problems and a realization that he is not seeking special privileges when he asks a just judgment on his pleas for assistance in his uncertain and poorly paid toil. Now, all he wants is an even break and he has not received it by a long shot.

PERMISSION TO ADDRESS THE HOUSE

Mr. STEWART. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes today following the special orders heretofore made and to revise and extend my own remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

(Mr. ROGERS of California asked and was given permission to revise and extend his own remarks in the Appendix of the Record.)

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a speech by Raymond M. Smethurst. I have an estimate from the Public Printer to the effect it will cost \$120.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROWAN. Mr. Speaker, I ask unanimous consent to extend my own remarks on two subjects, in one to include an article on General Pulaski which appeared in the Chicago American, and in the other to include a resolution adopted by the United Spanish War Veterans.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CANFIELD. Mr. Speaker, the gentleman from Missouri [Mr. PLOESER] had a special order for tomorrow. I ask unanimous consent that it may be transferred to Monday next.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Florida [Mr. GREEN] is recognized for 15 minutes.

CITRUS FRUIT PRICES

Mr. GREEN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein a statement concerning the citrus price ceiling plan for 1943-44 by the National Citrus Industry Committee, and also to include therein a copy of H. R. 2542, a bill for the relief of certain claimants who suffered losses and sustained damages as a result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruit fly in the State of Florida.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GREEN. Mr. Speaker, I call your attention to the imperativeness of action by O. P. A. upon representations made to it recently by the National Citrus Industry Committee. This committee was in conferences with O. P. A. and War Food Administration officials on and before October 1. Price levels and a suggested system of operation were worked out and presented. Unless action is promptly taken, we may anticipate, during the present season losses to citrus growers, unwarranted prices to consumers, and generally disturbed, upset, and chaotic marketing conditions.

This committee suggested an increase of price schedule presented by W. F. A. of 1 cent per pound at the retail level on oranges and $\frac{1}{2}$ cent per pound on grapefruit and lemons. They urged immediate clearance with W. F. A., O. P. A., and higher authority, if necessary, to the revised price schedule and the plan of operation as presented by W. F. A. It was concluded by the committee that a maximum average price for all areas and seasons of 10.7 cents per pound for oranges to consumer is reasonable and not out of line. This price, it was concluded, was far less, comparatively, than prices set on other fruits, vegetables, and food in general.

It is apparent that the main difficulty which has confronted the citrus growers of our country, particularly during the war period, is the excessive amount which goes to middlemen. The price received by the grower has been not excessive; in fact, in some instances, it has been less than the actual cost of production. The handlers are allowed a mark-up of 9½ percent, and then the next handler—and usually there are at least two in-betweens—an additional mark-up of 21 percent. In other words, the grower will deliver his fruit to the first broker who

will buy it and add a 9½ percent mark-up. Then he delivers on to the next handler or broker, and this one is allowed an additional 21 percent mark-up. His mark-up, however, is 21 percent of not what was paid to the grower for the fruit alone, but to all costs incident to the time the fruit reached this man. He gets his 21 percent on all costs, including transportation theretofore piled on the box of fruit. He adds his and then transfers it on to the retailer. The retailer, I believe, is allowed a mark-up of 30 percent or better. These two in-betweens have been getting a total of 30½ percent; the retailer about 30 percent; the transportation facilities, drayage, storage, and so forth, probably on the average of 20 to 30 percent.

You will see this leaves a very small amount for the man who actually runs the production risk and puts out the actual cost of production.

Great risks are involved in the production of citrus fruits—adverse weather and season conditions, added expense for fertilizer, added expense for labor, crates, hauling, and every item entering into production and delivery of the fruit to the transportation platform. Some method could and should be worked out by O. P. A. to eliminate a large portion of the in-between charges between producer and consumer. These costs and charges have been pyramided through the operations of O. P. A.

This war is being fought, we believe, with the great purpose of security and protection for the American people and their homes. It is not to be taken as an opportunity for the making of large profits and excessive moneys.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield.

Mr. BROOKS. I have listened very carefully to what the gentleman said. The gentleman has given the subject a great deal of study. Has the gentleman given thought to the matter of the wide divergence to which he made reference between the basic price of the commodity and the actual retail price?

Mr. GREEN. The gentleman means the price received by the producer and the retail price?

Mr. BROOKS. That is correct.

Mr. GREEN. Yes.

Mr. BROOKS. When I referred to the basic price I mean the price received by the producer. For instance, when I was recently home I went out in the country and purchased some eggs at the rate of 30 cents a dozen. That was only a few weeks ago. Eggs in Washington are today selling for 65 cents a dozen. It occurred to me and I am sure it has occurred to the gentleman from Florida that this is too wide a divergence between the basic producer's price and the final retail price.

Mr. GREEN. Undoubtedly the gentleman is correct; and that reminds me of a housewife telling me right here in the District of Columbia one day this week of having to pay \$1.20 a dozen for oranges—a dime apiece. That orange to the man who produced it probably did not bring more than 1 cent or maybe less. Oranges are graded according to

size and the full crate is sold by the producer for say \$1.50 to \$3 per crate.

Our O. P. A. officials naturally are probably doing the best they can but they do not have the production experience; in other words if we are experienced in one particular field our knowledge and efforts may go in that channel. What we need in O. P. A. is some actual producers who have had experience with these problems of production against the hazards of weather, against the adverse market conditions, increased fertilizer costs, increased labor costs, yes, up 50, 75, and in some instances 100 percent. We need men in O. P. A. who have had that experience, men who know the producer's problems. If we can make that change in O. P. A. it is my belief, my considered belief, that the price to the consumer will not have to be raised, that there is plenty of space in between, to where the retailer will still be enabled to retail at his same price and the consumer not have to pay more, but with the producer receiving more out of this middle bracket of profit. That is what should be done.

Consumption in our country of many staple commodities is increasing. The demand for our foodstuffs here and abroad among our allies and our armed forces has increased. On the other hand, our production of food commodities has gained in some instances very, very little, and in some instances there has been an actual falling off. In north and central Florida, Irish potato plantings may decrease, because it is apparent that a ceiling price will be placed so low that the producers will not be able financially to bear the risks. A ceiling price that will not pay them for production.

These are the things which are essential and the things which I believe the Congress must consider because they, in my opinion, are imperative.

MILK CEILING PRICES

I have had numerous conferences with O. P. A. and W. F. A. officials over the past many months; in fact, since the beginning of its operations. Conference after conference has been held with O. P. A. officials and our Florida dairymen and members of the Florida congressional delegation. We have plead for increased producer's ceiling prices for milk in order that our dairymen may continue in operation and supply this necessary food. Their feed, labor, machinery, and all operating costs have been pyramided. O. P. A. has consistently and persistently declined and refused to permit an increase in the producer's ceiling costs sufficiently to enable our dairymen to operate. Numbers of most valuable pure-bred herds have been sold and slaughtered for beef on account of this maladministration by O. P. A. And a peculiar thing—milk from outside the State may be shipped in and sold, I am told, at a price much higher than that which is allowed the producers in the State to produce milk within the State.

VEGETABLE CEILING PRICES

Our Florida vegetable growers and our congressional delegation have had numerous conferences with O. P. A. officials

concerning ceiling and support prices for winter vegetables, including early Irish potatoes. The vegetable price ceilings for the approaching season apparently may be slightly more favorable to the growers; however, under these now ceilings many of our growers will not be able to operate. We have had numerous conferences between our citrus growers and in some instances congressional delegation members, and O. P. A. and W. F. A. officials in an effort to enable our people to continue to produce and market citrus fruits. We are struggling now with these Federal agencies in an effort to get some favorable declaration, working agreement, and system promulgated in order to enable the present citrus crop to go on to the market. From these months and months of experience in direct effort in trying to aid in war food production, I am convinced that in O. P. A. we need and must have the actual food producers represented.

It is my belief that O. P. A. is overstaffed with men from the merchandising and handling industries, and understaffed with men and women who are actually experienced in food production. These merchants, brokers, and handlers of food in O. P. A. cannot, through training and experience which they have not had, be familiar with the problems of production. They perhaps are doing the best they can from the point of view which they understand to hold down prices and to prevent inflation, but we need men in O. P. A. who have had actual production experience in dairies, in groves, in vegetable fields, and in other food-commodity production, to meet and solve the problems facing the producer. If we could have some food-production experienced men in O. P. A. to work with the merchants and brokers who are now in there, they could bring together and fuse their joint understandings of the problems and we could then, I am certain, have producer price ceilings and retail price ceilings which would stimulate food production and at the same time, not pyramid actual food cost to the consumer.

While I did not vote for the establishment of the O. P. A., I must confess that it has been instrumental in holding down the actual cost of living. For the first 44 months of World War No. 1, I am told, the cost of living advanced about 40 percent. I am also told that during the first 44 months of World War No. 2, the cost of living advanced in America only about 24 percent. This indicates a splendid accomplishment insofar as cost of living is concerned. Yet, my friends, it is not fair to the consuming public, the dairymen in Florida, the Irish potato and vegetable producers in Florida, the citrus and other food producers in my State and in your State, for the operations of O. P. A. ceilings to bring about the confiscation of their herds, crops, groves, and other food-producing possibilities. These high-handed and unwise operations of O. P. A. in many instances are actually reducing, in my opinion, the amount of food produced in our country. We now need food and more food. The citrus growers, vegetable growers, hog and cattle producers, and other food

producers of our Nation now need encouragement rather than handicaps, red tape, and destructive methods applied against them.

For your detailed information concerning the National Citrus Industry Committee's recommendations, I call your attention to the following citrus price-ceiling plan for 1943-44:

CITRUS PRICE CEILING PLAN FOR 1943-44

The citrus industry is fully represented in Washington this week by growers, shippers, and canners from all major producing regions. On Friday, October 1, handlers joined with the growers and shippers, at the request of Government officials, for the purpose of discussing mechanics of a price-ceiling program.

Because we seek your continued counsel and assistance, it is necessary to review briefly the status of citrus-fruit price ceilings.

The industry representatives called here by War Food Administration on Monday, September 27, were presented with a price plan by the organization. After thorough discussion, that plan has been accepted by the industry in principle. At the request of War Food Administration, minor modifications have been suggested for the purpose of improving the workability of the proposal. It is not our purpose to occupy your time with such operating details, which we feel sure will be adjusted by mutual agreement. One important item, on which we request your support, is an increase of 1 cent per pound at the consumer level on all orange (including tangerines, temples, and kings) schedules and one-half cent per pound on all grapefruit and lemon schedules recommended by War Food Administration. We have made this request to War Food Administration based upon facts which are summarized as follows:

1. The schedule given the industry fails to recognize an allowance for grade differentials which always exist in perishable farm products. The principle of grade differentials has been recognized by the Office of Price Administration for many commodities, including citrus fruits. Without such a differential it is impossible for producers to receive the required minimum price objective for their crop because some grades will inevitably sell below the average. Congress intended that price-ceiling schedules should include grade classifications.

2. The schedule for oranges at the retail level is based upon the weighted average re-

tail price as of September 15, 1942. Included in such average price are prices reflecting both lower and higher prices. For example, the average price in the largest consumer market, namely, New York City, was 10.7 cents per pound compared to the average for all areas of 9.7 cents per pound. On the other hand, the average prices in other markets were as low as 8 cents per pound, exclusive of the markets in the producing areas. If the maximum price is set at the average price during a period when the normal factors of supply and demand operated, this will eliminate the possibility of obtaining such a level because the below-average prices will continue with the offsetting factor of above-average prices. It is our studied opinion that a maximum average price for all areas and seasons of 10.7 cents for oranges to consumer will result in an actual average of price to consumers of not to exceed 9.7 cents, which completely meets the executive mandates and price-law objectives.

3. Citrus prices at the irreducible minimums requested by the industry are reasonable compared to the prices of other commodities and services. Most other domestically produced perishables have enjoyed a complete season of unrestricted prices. This has permitted an unfair competitive situation between citrus fruits and other fruits and vegetables. Higher returns for other crops has permitted them to take labor and supplies away from citrus producers and handlers, even though citrus fruits were classified among the essential foods. The schedule of prices recommended by the industry will not result in average returns to producers above parity, yet prices for a few other important food items in relation to parity prices as of July 15, 1943, published by the Department of Agriculture, are as follows:

	Actual prices	Parity price
Cattle, per 100 pounds.....	\$12.60	\$8.94
Lambs, per 100 pounds.....	\$13.30	\$9.70
Eggs, per dozen.....	26.3	22.3
Butterfat per pound.....do.	49.2	40.5

A further comparison of fruit and vegetable prices with citrus as of July 1943, which is a normally high-priced season for citrus and a relatively lower price season for deciduous fruits and vegetables shows percent increase in prices from a 5-year July average during the period 1937 to 1941, inclusive, as follows:

Prices received by farmers

Commodity	Unit	July average, 1937-41	July price, 1943	Percent increase
Apples.....	Bushel.....	\$0.97	\$2.55	263
Cabbage.....	Ton.....	14.94	37.80	253
Cantaloups.....	60-pound crate.....	1.03	3.50	340
Celery.....	1/2 crate.....	1.30	4.30	331
Cucumbers.....	48-pound bushel.....	.67	2.45	366
Tomatoes.....	53-pound bushel.....	.95	3.75	395
Watermelons.....	1,000 melons.....	90.00	382.00	424
Oranges.....	Fresh, box.....	1.47	2.89	197
Lemons.....	do.....	2.02	3.25	161

A further comparison of prices is with apples. Current published information indicates retail prices of from 10 cents to 11 cents per pound. Official data of the Department of Agriculture shows that during the past 9 years beginning 1934 and for the first 8 months of 1943, the average retail price of apples in leading cities of the United States has been 5.1 cents per pound compared to a retail price of 8.3 cents per pound for citrus fruits. The published price for citrus is on a per-dozen basis, and has been converted to a per-pound basis by using an average weight of 80 pounds per box for all areas and 20 dozen per box.

During the above period the retail price of oranges has been 63 percent above apples. Therefore assuming a national average apple price of 10½ cents per pound the average retail price of oranges should be 17.1 cents per pound to maintain the proper historical relationship. The retail prices for both commodities have been reflected in comparable returns to producers.

The comparisons here made with other commodities are not for the purpose of reflecting against the prices of other items, which in most instances are fair and reasonable based upon increased costs, but to point out the unfair competitive situation of citrus

fruits. We ask only for a fair relationship compared to the past and call to your attention the high costs and hazards of producing citrus fruits.

At the present time and for several years there has been in effect marketing agreements and order programs in California, Arizona, and Florida under the authority of the Agricultural Marketing Agreement Act of 1937, as amended. The objective of these marketing orders was to establish and maintain parity prices on citrus.

Section 3 (d) of the Emergency Price Control Act of 1942 approved January 30, 1942, provides:

"(d) Nothing contained in this act shall be construed to modify, repeal, supersede, or affect the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, or to invalidate any marketing agreement, license, or order, or any provision thereof or amendment thereto, heretofore or hereafter made or issued under the provisions of such act."

The citrus industry contends that any price ceiling which does not reflect at least parity on citrus is illegal and contrary to the intention of Congress when it enacted section 3 (d) above. Parity is one of the legal minima to which our growers are entitled under any price ceiling program.

As heretofore mentioned we request an increase of 1 cent per pound in the retail price schedules for all oranges and $\frac{1}{2}$ cent for grapefruit and lemons over the schedule, presented by the War Food Administration. It is our thought that a part, perhaps one-half of the increase would accrue to producers and the additional amount would suffice to cover shrinkage and other natural losses in the handling of citrus fruits, thus permitting all factors in the business a fair return for their services. We have requested the War Food Administration to prepare new schedules which should be made available to you.

The second phase of any price ceiling plan, after the level of prices has been determined, is the method of application.

The existing regulations has failed to protect producer and consumer and has encouraged new factors to enter the trade. It has increased the total spread between producers and consumers and has resulted in a breakdown of basic practices in the industry, which have protected both producers and consumers and which we believe have placed citrus fruits among the best merchandized products. The failure of the present plan is recognized by the War Food Administration and we believe by the Office of Price Administration. Both agencies have expressed a desire to develop an improved system of price regulation. We are mystified that the flagrant errors have not been corrected long before now.

The proposed plan of operation suggested by War Food Administration is to establish per pound consumer prices by seasons in various consumer areas, and to protect retail merchants by establishing maximum prices per box on sales to retail outlets. While the industry generally feels that a single national price, at the consumer level only, is the least obnoxious pricing method of citrus we have acceded to the general plan of War Food Administration, with the price changes mentioned above and with the right to suggest minor changes which will improve detailed operations. The trade factors present at the Office of Price Administration conference on October 1 with the exception of three wholesale trade representatives likewise approve the basic plan.

Because of the feeling in O. P. A. that the intermediate trade must be fully and adequately protected, we have further agreed, in an honest effort to be helpful, that if the pricing plan to retailers and to consumer results in great malpractices and distribution that the price may be established at a point beyond the retailer. However, such

pricing must first give complete protection to growers against other factors taking an undue portion of the consumer price.

During the past week we have not received from O. P. A. any agreement either as to the price level or system of operation. This must be had promptly, and if there is controversy between War Food Administration and O. P. A., the difference must be settled by Mr. Vinson so that changes can be made at a very early date to avoid further losses to growers, unwarranted prices to consumers, and chaotic marketing conditions.

In summary we believe that any pricing plan on citrus fruits, which is a perishable commodity, is fraught with difficulties and inequalities, but that the plan of War Food Administration, carrying prices to the consumer and retailer, is the least objectionable plan yet devised by Government authorities. It simplifies the pricing system, establishes a uniform price at the consumer level, compared to the multiple and almost indeterminate prices now. It makes possible a more normal spread in distribution costs. It gives growers the possibility of obtaining the legal minimum prices required by law and reduces the consumer price.

We ask your help on the following:

1. Increase the price schedule presented by War Food Administration by 1 cent per pound at the retail level on oranges and $\frac{1}{2}$ cent per pound on grapefruit and lemons.

2. Obtain immediate clearance with War Food Administration, O. P. A., and higher authority if necessary to the revised price schedule and to the plan of operation as presented by War Food Administration. An honest effort to establish a more workable and a fairer plan should result in final determination during this week. The industry is here ready to speak and make decision.

For your past assistance and continued interest we express the sincere appreciation of the citrus industry.

NATIONAL CITRUS INDUSTRY COMMITTEE.

MED-FLY CLAIMS SHOULD BE PAID

Mr. Speaker, while I am on the subject of citrus, I believe I should call to the attention of my colleagues the justification and merit for the Congress at this time to pass legislation for the reimbursement of losses sustained by Florida growers during the eradication in Florida of the Mediterranean fruitfly in 1929-30. Florida properties were destroyed and extensive losses sustained during the eradication of this pest. The destruction of fruits, vegetables, and the injury to groves was carried on by the Bureau of Entomology, United States Department of Agriculture. This destruction was done in order to eliminate the Mediterranean fruitfly, which, it was said, existed, and to prevent the spread of this pest to other fruit and vegetable producing States of the Union. Florida's property was destroyed as a protection to property in other States. It was destroyed through the instrumentality of the Federal Government. These damages should be paid to Florida growers by the Federal Government. Exhaustive surveys, studies, and hearings have been had upon the subject. A special congressional investigating committee, a joint committee of Senators and Congressmen, has investigated these claims and found them to be valid, and this committee has recommended enactment of legislation for payment.

I have introduced H. R. 2542 to carry out the recommendations of this special congressional investigation committee.

I commend this bill to you for immediate consideration and passage by the Congress:

H. R. 2542

A bill for the relief of certain claimants who suffered losses and sustained damages as the result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida

Whereas a very serious emergency arose by reason of an outbreak of the Mediterranean fruitfly in Florida in 1929 which threatened the fruit and vegetable industry of the Nation; and

Whereas it was the general consensus of opinion of the Government experts that the only safe way to meet the situation was the eradication of the pest in the shortest possible time; and

Whereas to accomplish this result orders were promulgated under authority and direction of the Federal Government for the destruction of all fruits and vegetables considered as possible hosts to the fly within an established area (comprising 22 counties) designated as the "area of infestation," and other drastic measures were taken to aid in the eradication program, all of which resulted in severe loss and damage to the growers of fruits and vegetables in said area; and

Whereas the joint special committee of the Senate and House of Representatives appointed under authority of Senate Concurrent Resolution No. 40, Seventy-sixth Congress, third session, after full investigation has recommended in its report that Congress compensate those who suffered losses under certain circumstances for the losses and damages sustained as the direct result of the eradication campaign: Therefore

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to designate an officer or employee of the Treasury Department as Commissioner, whose duty it shall be to investigate and take proof of all claims for damages growing out of the Mediterranean fruitfly-eradication campaign. The Secretary of the Treasury shall fix the duties and compensation of the Commissioner. The Secretary of the Treasury shall also employ and fix the compensation and duties of such number of employees as may be necessary to carry out the purposes of this act, but such compensation of such employees shall correspond as far as may be practicable to the rates established by the Classification Act of 1923, as amended. The Commissioner may accept and utilize such voluntary and uncompensated services as he may deem necessary; and may make such expenditures, including expenditures for necessary offices, for travel and subsistence expenses, and for printing and binding as are necessary for the efficient execution of his duties under this act. All expenses incurred by the Commissioner in carrying out the provisions of this act shall be allowed and paid by the Secretary of the Treasury upon the presentation of itemized vouchers therefor duly approved by the Commissioner.

SEC. 2. The Commissioner is authorized and directed to determine and certify to the Secretary of the Treasury for payment, and the Secretary of the Treasury is authorized and directed to pay in accordance with the certifications of the Commissioner, the amount of indemnity determined as due each person for losses and damages sustained as the result of the Mediterranean fruitfly eradication campaign conducted in the State of Florida during the years 1929 and 1930. The formula to be used by the Commissioner for the determination of the losses and damages of claimants for fruit, vegetable, and field crops shall be substantially as follows: For oranges, \$1.10 per box; grapefruit, limes,

lemons, and kumquats, \$1 per box; peaches, \$1.45 per bushel; avocados, \$2.12 per bushel; persimmons, \$5 per bushel; grapes, \$2.10 per bushel; guavas and other noncitrus fruits, \$1 per bushel; cowpeas, \$5.50 per acre, or where gathered, \$1.25 per bushel; beans, \$1.44 per bushel; peppers, 92 cents per bushel; tomatoes, \$3.18 per bushel; miscellaneous vegetables, fruits, field crops, and plants not mentioned above shall be at the average net price in Florida for the period as shown by the reports of the United States Department of Agriculture for the years in question. In determining the quantity of vegetables destroyed, the Commissioner shall take into consideration whether same were produced on irrigated or nonirrigated land, the average production per acre of each, and the percentage of the crop that had been marketed prior to the destruction of the plants and vines in the gardens and fields. Where any fruit or vegetable had been gathered and was in the process of being marketed, the actual cost of gathering and hauling, where paid by the grower, shall also be included. When such costs were paid by a purchaser or packing-house operator, a separate claim shall be filed by such purchaser or packing-house operator for the actual cost of gathering or hauling. Each grower of citrus fruit shall also be entitled to recover the actual cost to him of picking and burying citrus drops and splits, not to exceed \$5 per acre in zone 1, \$7.50 per acre in zone 2, and \$6.50 per acre in zone 3 of the area of infestation.

Damages to fruit trees resulting from the use of poisonous bait spray shall be determined in conformity with table 8, page 17, House Document No. 290, Seventy-sixth Congress, being a report prepared by the Mediterranean Fruitfly Board appointed by the Secretary of Agriculture under the act of Congress of May 23, 1938 (52 Stat. 436). Damages for the destruction of commercial plants and shrubs ordered destroyed during the eradication campaign shall be determined and fixed by the Commissioner after taking into account the true market value to the seller of the property destroyed. It is hereby declared to be the express intention of Congress that persons who suffered losses and sustained damages of the kind and character described in this act shall receive full compensation, as provided for herein, for the losses sustained and damages suffered, but that losses of no other kind or character shall be considered by the Commissioner.

Sec. 3. All books, papers, documents, reports, and other records of the Department of Agriculture which relate to the campaign conducted during the years 1929 and 1930 in the State of Florida for the extermination and eradication of the Mediterranean fruitfly in such State (including the books, papers, documents, reports, and other records of the Mediterranean Fruitfly Board created by the act entitled "An act to provide for an investigation of the Mediterranean fruitfly by the Department of Agriculture," approved May 23, 1938) shall be available for examination and inspection by the Commissioner or his duly authorized agents and representatives.

Sec. 4. No payment under the provisions of this act shall be made unless an application therefor is filed with the Commissioner, by or on behalf of the person entitled to payment, within 6 months after the date the Secretary of the Treasury designates a person as Commissioner under the provisions of the first section of this act. Any such application shall set forth the amount and kind of losses or damages claimed and shall be supported by such documents or other information as the Commissioners shall require. All claims filed with the Mediterranean Fruitfly Board created under the act of May 23, 1938 (52 Stat. 436) shall be delivered to the Commissioner by the Secre-

tary of Agriculture, and claims filed by growers with Florida Growers Reimbursement Committee may also be filed with the Commissioner, and each such claim shall constitute an application for reimbursement where no other application is filed: *Provided*, That the Commissioner may require claimants to furnish such additional information as the Commissioner may deem necessary. All claims filed by growers with Florida Growers Reimbursement Committee shall be made available to the Commissioner upon request in considering any claim filed by any claimant under this act. If any claimant has died, become incompetent, or is otherwise unable to file a claim, such claim may be filed by the heirs, representatives, administrators, executors, successors, or assigns of any such person, and payments of indemnity may be made to such heirs, representatives, administrators, executors, successors, or assigns of any such person, and further administration upon the estate of any person who has died shall be avoided where that is possible: *Provided*, That no person, who makes a claim under this act by virtue of having acquired and succeeded to the rights of the original claimant through purchase and assignment from said claimant of any claim shall receive more than the amount actually paid for such claim and assignment.

Sec. 5. When the Commissioner has determined the amount due on any claim filed with him, and the person or persons entitled thereto, the same shall be certified by him to the Secretary of the Treasury for payment, and the payment of such amount shall constitute full and final release and discharge of such claim against the United States. The determination of the Commissioner as to the amount due and payable and the person or persons entitled thereto shall be final.

Sec. 6. The sum of \$10,000,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying claims approved hereunder and expenses incurred in carrying out the provisions of this act: *Provided*, That of the sum hereby appropriated, \$350,000 shall be available only for the payment of claims designated and described in the paragraph entitled "Other Losses" on page 32 of House Document No. 290, Seventy-sixth Congress, first session, 1939. Indemnity paid to any claimant under the provisions of this act shall not be subject to attachment, levy, or seizure under any legal or equitable process.

Sec. 7. The Commissioner shall establish his principal office at some central place convenient to claimants within the affected Florida citrus area where claims may be filed and may conduct hearings and investigations at any point within the Florida citrus area as he may deem necessary to establish the validity of any claim, and no person shall be denied an opportunity to be heard prior to the determination and certification of the amount due such claimant.

Sec. 8. The Commissioner shall provide for proof of claims under oath, prescribed blanks and forms to be used by claimants, and prescribe such rules and regulations not inconsistent herewith as may be necessary to carry out the provisions of this act.

Sec. 9. The word "person" and "claimant" as used in this act shall include any individual, two or more persons having a joint common interest, company, partnership, county, or municipal or private corporation.

Sec. 10. Any person or group of persons, individually or collectively, who charge or collect or attempt to charge or collect, either directly or indirectly, any fee or other compensation, in excess of 5 percent of the amount of the claim actually paid under this act, for assisting in any manner any person in obtaining the benefits of this act, shall, upon conviction thereof, be subject to

a fine of not more than \$500, or imprisonment for not more than 1 year, or both.

Sec. 11. It shall be unlawful for any person or claimant to swear falsely as to any claim, or to attempt by fraud to collect any claim under the provisions of this act, and any person or claimant violating any provision of this section, shall, upon conviction thereof, be subject to a fine of not more than \$1,000, or imprisonment of not more than 1 year, or both.

Sec. 12. The Commissioner shall submit a report to the Congress covering his activities under this act within 1 year from the date of his designation, together with such information, data, and recommendations for any further legislation in connection with payments of indemnity for losses and damages resulting from the Mediterranean fruitfly eradication campaign in the State of Florida as he may deem advisable.

Sec. 13. All power and authority of the Commissioner under the provisions of this act shall cease upon the expiration of 1 year after the date the Secretary of the Treasury designates a person as Commissioner under the provisions of the first section of this act.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. STEWART] is recognized for 5 minutes.

Mr. STEWART. Mr. Speaker, a front-page news item appeared in last Tuesday's Daily Oklahoman naming me as 1 of 50 individuals in Oklahoma whose State income-tax return had been requested for scrutiny by the Tulsa County, Okla., grand jury upon the order of a district judge of that city. I wish to make a few observations.

I would have been only too happy to have shown the county attorney, Mr. Dixie Gilmer, all the copies of my tax returns had he even suggested a disposition to look them over. I mean all of my tax returns—from the first one I filed up to and including 1943. He knows as well as I know that I have never been an agent or recipient of a commission or fee or any other kind of remuneration, directly or indirectly, for the sale of textbooks.

I wish to say further to Mr. Gilmer and his cohorts and confederates that when he chose to smear my name he went just one name too far. I shall demand proof not only from him but from all who are responsible for bringing my name into this political maligning. When innocent people are made a party to an investigation that stinks of having been designed by men who think they are mighty, in my opinion it should be brought to the attention of the Department of Justice that the citizens of Oklahoma may know where such Gestapo scheming was born and who was present at the birth. I shall continue the fight to see that what is good for the goose is good for the gander. They should be as willing to bare their breasts to an investigation as any person they are attempting to destroy.

When I have further information upon the subject, I may call on the Department of Justice, or offer a resolution, asking for a thorough investigation of what happened preceding the calling and during the deliberations of this grand jury, when and where they met,

and who were parties thereto. It is a sad day in America when any court of justice can be prostituted by politicians for their own selfish purpose. The press has heralded the name of Dixie Gilmer as a potential candidate for judge of the Criminal Court of Appeals, and it might be of interest to know who took the young gentleman upon the mountain and showed him all the world before him. Those responsible surely would not feel too badly at seeing their names front-paged throughout the country.

The man who started the textbook investigations in Oklahoma was then a high public official. He appointed the judge who called the Tulsa County Grand Jury. His tax return has been listed for investigation by order of the same judge. This smacks of camouflage and the laying of a smoke screen of fair play. This former high official also contracted with and appointed the attorney who filed a civil suit in the Federal court on behalf of the State of Oklahoma against a number of persons alleging them to be illegally involved in the State buying textbooks for the public schools of Oklahoma. I was not included in this suit. According to the press this attorney, appointed by the former high official, has appeared before the grand jury and consorted with the county attorney. Do such manipulations show fair play? I have a hunch what it is all about and believe it can be developed. I am not familiar with the textbook controversy other than by newspaper reports, but I know well I had nothing to do with it.

I think Mr. Gilmer and his coterie will live to regret the day he brought my name into this investigation. I do not like it and am going to do something about it.

EXTENSION OF REMARKS

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a couple of letters.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico [Mr. FERNANDEZ]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very splendid and powerful address recently made by the Honorable Sumner Welles, former Under Secretary of State, in New York City, an address that everybody should read and analyze. This will cost \$120, according to estimate of the Public Printer, but because of the unusual contribution made by Mr. Welles in this address, I am asking unanimous consent that it be included as a part of my remarks notwithstanding the cost.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Wednesday next, after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore made, I may address the House for 15 minutes. Next

Wednesday being Navy Day, it is my intention to make some remarks on the heroism of the officers and men of the United States Navy during this war.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. MAAS (at the request of Mr. MARTIN of Massachusetts) until November 8, on account of official business.

SENATE ENROLLED BILLS SIGNED

The **SPEAKER** announced his signature to enrolled bills of the Senate of the following titles:

S. 425. An act authorizing the Comptroller General of the United States to settle and adjust the claim of J. C. Munn;

S. 514. An act for the relief of Blanche H. Karsch, administratrix of the estate of Kate E. Hamilton;

S. 560. An act for the relief of Western Maryland Dairy, Inc.;

S. 694. An act for the relief of the W. G. Cornell Co.;

S. 841. An act for the relief of J. P. Woolsey;

S. 1293. An act for the relief of Cleo Pickrell; and

S. 1346. An act for the relief of the R. B. Walker Funeral Home.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 16 minutes p. m.), pursuant to previous order, the House adjourned until Monday, October 25, 1943, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The hearing which was scheduled for Tuesday, October 19, 1943, at 10 a. m., on the bill, H. R. 3334, relating to certain benefits to trainees in the Maritime Service, has been postponed until Tuesday, October 26, 1943, at 10 a. m.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 2 of the Committee on the Judiciary will conduct hearings on H. R. 786, a bill to amend section 40 of the United States Employees' Compensation Act, as amended (to include chiropractic practitioners), at 10:30 a. m. on Wednesday, November 3, 1943, in room 346, Old House Office Building, Washington, D. C.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

869. A letter from the Archivist of the United States, transmitting report on records proposed for disposal in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380); to the Committee on the Disposition of Executive Papers.

870. A letter from the Acting Director, Office of Civilian Defense, transmitting copies of Quarterly Estimate of Personnel Requirements for the quarter ending December 31, 1943, covering regular operations of the Office

of Civilian Defense and its protective property program; to the Committee on the Civil Service.

871. A letter from the Director, Office of War Information, transmitting Quarterly Estimate of Personnel Requirements for the Office of War Information covering the second quarter of the fiscal year 1944; to the Committee on the Civil Service.

872. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 11, 1943, submitting a report, together with accompanying papers and an illustration, on a review of report on the Arkansas River and tributaries, Conway County, levee districts Nos. 1, 2, 6, and 8, requested by resolutions of the Committee on Flood Control, House of Representatives, adopted on May 14 and November 12, 1941 (H. Doc. No. 341); to the Committee on Flood Control and ordered to be printed, with an illustration.

873. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 9, 1943, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of, and a review of report on, the Missouri River and tributaries at Kansas City, Mo., and Kans., authorized by the Flood Control Act approved on June 22, 1936, and requested by a resolution of the Committee on Commerce of the United States Senate adopted on April 29, 1941 (H. Doc. No. 342); to the Committee on Flood Control and ordered to be printed, with seven illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. Interim report pursuant to House Resolution 30, Seventy-eighth Congress, first session. Resolution authorizing the Committee on Military Affairs and the Committee on Naval Affairs to study the progress of the national war effort; without amendment (Rept. No. 785). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 308. Resolution to provide for the payment of expenses of conducting the investigation and study authorized by House Resolution 307; without amendment (Rept. No. 786). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. S. 763. An act amending the Selective Training and Service Act of 1940, as amended, and for other purposes; with amendment (Rept. No. 787). Referred to the Committee of the Whole House on the state of the Union.

Mr. MURDOCK: Committee on Irrigation and Reclamation. H. R. 2580. A bill to grant the consent of Congress to a compact entered into by the States of South Dakota and Wyoming relating to the waters of the Belle Fourche River Basin, to make provisions concerning the exercise of Federal jurisdiction as to those waters, to promote the most efficient use of those waters, and for other purposes; without amendment (Rept. No. 788). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By **Mr. GRANGER:**

H. R. 3507. A bill to provide for the disposition of tribal funds of the Ute Indians, or any

of the tribes or bands of Utes; to the Committee on Indian Affairs.

By Mr. O'BRIEN of New York:

H. R. 3508. A bill to authorize the Secretary of War to erect headstones over the graves of wives of soldiers who served in the Spanish-American War, World War No. 1, and World War No. 2; to the Committee on Military Affairs.

By Mr. PATMAN:

H. R. 3509. A bill to provide for mandatory loans to small business concerns upon termination of their war contracts; to the Committee on Banking and Currency.

By Mr. BROOKS:

H. R. 3510. A bill amending Public Law No. 625 of the Seventy-seventh Congress; to the Committee on Military Affairs.

By Mr. MAGNUSON:

H. J. Res. 176. Joint resolution designating November 15 of each year as John Hanson Day; to the Committee on the Judiciary.

By Mr. TOLAN:

H. J. Res. 177. Joint resolution requesting the President of the United States of America to proclaim Armed Services Honor Day and urging that it be properly observed throughout the Nation; to the Committee on the Judiciary.

By Mr. SCANLON:

H. Res. 329. Resolution to make a special order of business, H. R. 3055, a bill to repeal Public Law No. 89 of the Seventy-eighth Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. McCORD introduced a bill (H. R. 3511) for the relief of the Lebanon Woolen Mills, Inc., which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3120. By Mr. COCHRAN: Petition of the Jones Grill, of Washington, D. C., and signed by 20 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3121. Also, petition of C. R. Rouse, of Washington, D. C., and signed by 39 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3122. Also, petition of R. C. Power, of Washington, D. C., and signed by 23 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3123. Also, petition of C. Ellis, of Washington, D. C., and signed by 88 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3124. Also, petition of Robert B. McRaven, of Washington, D. C., and signed by 33 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3125. Also, petition of Rose L. Scholle and 20 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3126. Also, petition of Walter Bartman and 22 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3127. Also, petition of Jacob L. Scholbe and 20 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3128. Also, petition of Mrs. S. Kuhlmann and 20 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3129. Also, petition of Mrs. Charles J. Liss and 20 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3130. Also, petition of C. Elmer Kelle and 20 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3131. Also, petition of A. Kimerle and 20 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3132. Also, petition of August S. Preusch and 20 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3133. Also, petition of Miss E. Glennon and 20 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3134. Also, petition of C. Scott and 20 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3135. By Mr. GAMBLE (by request): Petition signed by Thomas Kennedy and other citizens of New York, Connecticut, and New Jersey, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3136. Also (by request), petition signed by Edward J. Glick and other citizens of the State of New York, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3137. Also (by request), petition signed by William A. FitzGibbon and other residents of New York and New Jersey, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3138. Also (by request), petition signed by Gustav A. Tappert and other residents in Westchester County, N. Y., opposing enactment of House bill 2082; to the Committee on the Judiciary.

3139. Also (by request), petition signed by William A. Loock, Sr., and other residents in New York and Connecticut, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3140. Also (by request), petition signed by James Donald Benson and other residents in New York and Connecticut, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3141. Also (by request), petition signed by Edwin T. Harman and other residents in the State of New York, opposing enactment of House bill 2082; to the Committee on the Judiciary.

3142. Also (by request), petition signed by Daniel F. MacNamara and other residents in the State of New York, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3143. Also (by request), petition signed by William K. Smith and other residents in the State of New York, opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3144. Also (by request), petition signed by Loring Pratt and other residents of Mamaronck, N. Y., opposing the enactment of House bill 2082; to the Committee on the Judiciary.

3145. By Mr. REED of Illinois: Petition of Fred's Museum Tavern of Elgin and 21 citizens, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

3146. By Mr. FITZPATRICK: Petition signed by sundry residents of Westchester County, N. Y., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

3147. By Mr. HEIDINGER: Resolution adopted by the Chicago Board of Underwriters, representing over 6,000 insurance brokers and agents in Cook County, endorsing Senate bill 1362 and House bills 3269 and 3270; to the Committee on the Judiciary.

3148. Also, resolution passed by the Board of Supervisors of Clay County, Ill., on October 9, 1943, urging the immediate repeal of the Victory tax; to the Committee on Ways and Means.

3149. By Mr. LANE: Resolution adopted by sundry citizens of Lithuanian birth or extraction; to the Committee on Foreign Affairs.

3150. By Mr. WOLCOTT: Petition of 20 residents of Richmond, Mich., expressing interest in House Resolution 117, which seeks to aid the starving children of Europe; to the Committee on Foreign Affairs.

SENATE

MONDAY, OCTOBER 25, 1943

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, who art the author of peace and the lover of concord, whose mercy is broader than the measure of man's mind: We confess that we have made Thy love too narrow by false standards of our own. By all the tragic mistakes of the centuries past Thou art reminding us that no nation liveth to itself or aileth by itself. Through all the broken dreams of humanity Thy spirit is urging us to the high road which leads to the glorious goal of man's oneness. More and more we comprehend that history is but Thy story, telling us how the truth of cooperation has fought the falsehood of strife and competition all down the ages, and how slowly and painfully cooperation has won, dragging civilization behind it. Above the flickering lamps of our own hearthstones, above the broken lights of our own little systems, may a glory from the bending skies shine upon us and upon all this darkened earth, making clear the way ahead. Without confusion, joining all men of good will, may we follow the gleam to the blessed plains of perpetual peace. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, October 21, 1943, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced